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A STATE MANAGER PLAN

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IN 1913 an initiated amendment to abolish the state senate mustered a third of the vote in Oregon. In 1914 Governor Eberhardt of Minnesota proposed the abolition of the legislature and the substitution of a small elective commission and the idea was not ill received. Next year Governor Hodges of Kansas made a like proposal for a single house of sixteen members, two from each congressional district, and the idea was received with unanimous applause by the press of his state. He argued for it in the governors' conference and the idea was carefully followed up by the *Saturday Evening Post*, and echoed by many newspapers.

In all this discussion the significant feature was the almost utter absence of ridicule or of defense for the existing institutions of government. People were not shocked. Editors did not jeer. Consequently we are probably nearer to bold changes than we thought, especially now when there are half a dozen state constitutional conventions in sight.

Commission government in cities often provoked the lay suggestion, "Why not for states?" but it would not stand second thought, for a commission small enough to be an executive agency would be too small to be an acceptable legislature. Now with forty-odd cities working under the commission-manager plan and a hundred more to come in a year or so—serious talk of it in Cleveland, and even Chicago—the parallel question assumes more potency, for a commission in a state commission-manager plan could be a broad representative body without impairing the necessary unification of the executive function. And the commission-manager plan is intrinsically sound, which was not entirely true of the commission plan.

Accordingly it is time we theorists and reformers began addressing ourselves to the question of what is our ultimate ideal of a state govern-

ment and setting up an orthodoxy that will be the product of ample discussion and something we can all defend.

A SINGLE HOUSE LEGISLATURE?

Do we, for instance, believe that states are in essence so like cities that we can fit them with a larger model of the same plan of government? Would we favor a single-house legislature of, say, fifty members with a state manager under them as chief executive for a state like Indiana? I don't.

State government is nine-tenths legislative and one-tenth business, whereas city government is nine-tenths business, with ordinance-making as a mere side-line.

Legislation requires much more explicit popular consent than a step in the development of a municipal administration. Law affects the conduct of men outside the narrow field of governmental employes. Law calls upon me to do something I may not wish to do; administration disturbs some governmental department, but I don't even hear of it although doubtless I suffer some ultimate undistinguishable effect of it. Administration should be swift; law should grow slowly. In states, therefore, broad representation is more necessary than in cities. Representation can be trifled with in cities because the people are compact, and near enough to represent themselves effectively if a small commission forgets its obligations. In states with their genuine diverse localism, a closely centralized governing board might be too impervious and mistake distant protests as mere clamor. For the making of laws, the state's main business, there must be a numerous body—more than fifty in a state like Indiana.

But a legislature of one hundred or more cannot sit down with a manager and oversee his work in the way that constitutes the great merit of the controlled-executive plan in cities. A state manager responding directly to a house of a hundred members would have a hectic time of it. He would not be responsibly reviewed and checked up; rather, like the victims of Judean mobs, he would be set up as a target and stoned to death. On his constructive proposals, he would be overwhelmed by little critics. He would be obliged to enter into collusion with a group of ring-leaders and get them to fight on his side—a sound method but fruitful of jealousy and distrust unless definitely sanctioned and regularized. If it were frankly so organized by the creation of an executive committee or ministry to work in more intimate relation with the state manager, it would be better but not good enough. This inner circle would still be possessed of indefinite yet very practical powers. It would manage the manager yet the whole legislature would carry the nominal responsibility without any practical way of assuming real control except in a kind of turbulent, spasmodic mob fashion.

Such an executive committee should be in continuous session the year round—the state manager cannot be left to sail the ship alone for months at a time lest the legislators, meeting only in annual or biennial sessions should soon find themselves comparative novices, no match for his glib familiarity with problems and unable to trust themselves to correct him.

THE DIFFICULTY OF PATRONAGE

The major difficulty, however, is our bad traditions of patronage. An inner group of the legislature supervising the state manager between sessions, might too easily become a ring for the disposal of jobs and no mechanical check against them such as a merit system or a watertight budget would be an adequate protection while the normal check of conspicuous responsibility to the people for the results of their rule would be wanting since they would be responsible merely to a numerous legislature wherein the accountability could be dissipated.

I concede that a single house legislature with an inner group and a manager—the Swiss system, in essence—is the ideal and ultimate plan, but I think it safer to wait till we have cleaned things up a bit before we adopt a plan that seems so vulnerable to our particular American type of corruption.

Likewise with the proposition implied in some of the publications of the bureau of municipal research for a frank copy of the English House of Commons with the governor and his department heads sitting in a one-house legislature as a ministry furnishing the constructive leadership in budgetary and legislative matters subject to the obstructive and critical review of the legislators, with power to dissolve the house and appeal to the electorate by a new election. I cannot imagine American office-holders voluntarily putting their own jobs in jeopardy to settle a difference over mere matters of principle!

Now then, to sketch something that will satisfy the coming call for "a state manager plan," something that goes far enough to produce big reforms yet remembers American traditions.

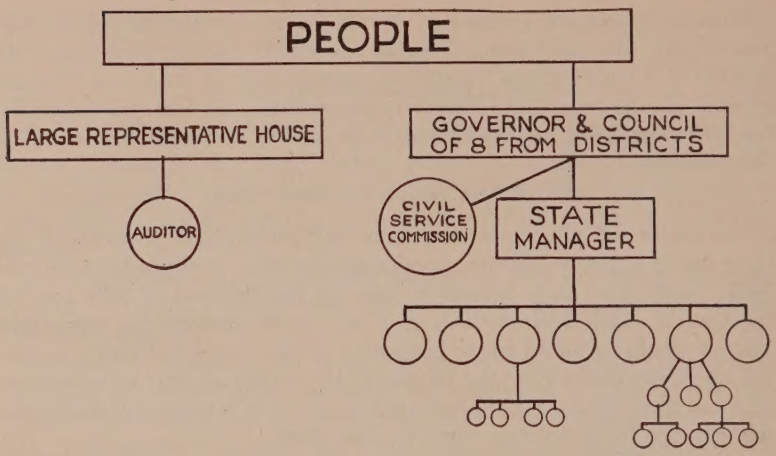
Governor and council have seat and voice in the house, also constitute the upper house (senate abolished).

Governor and council select state manager and control administration.

Governor and council prepare and introduce budget and other legislation and get the consent of the lower house if they can.

Lower house has power of reducing items in budget and may repeal laws or enact them by passing them two years in succession in spite of dissent of governor and council.

Governor and council having ample administrative service would originate the big legislative projects and argue for them in the lower house as "administration measures." Such bills would be properly related to



old law and old departments as distinguished from individual freak bills originating with the more amateur representatives.

The lower house would become a "consenting" body, reviewing and accepting or rejecting the projects of the more expert governor and council.

Governor loses the veto and the appointing power except as to judges.

This plan is sketched with the dilemma of the Massachusetts constitutional convention especially in mind. That convention will want to restore popular control over the autonomous long-term administrative commissions that have been developed to offset the inexperience of the one-year governors. The one-year term is dear to the hearts of the bay state people, yet how can administrative stability be obtained if the departments are made really sensitive to the rule of such transient amateur chief executives? Massachusetts has a governor's council now, eight members elected from districts. It is a perfunctory body, confirming the governor's appointments as a matter of course, except when the governor is of the opposite party; then it is sometimes a nuisance. Revive its lost dignity, give it a subordinate state manager and make it the upper house of the legislature in place of the senate. The governor becomes the leading policymaker and legislator and the principal representative of the people, yet the state departments are not put at the mercy of his ignorance of their work. Or, to put it the other way, the governor is no longer at the mercy of experienced subordinates. The state manager might not stay in office long either but a good man could make himself indispensable and, as part of the council would probably be re-elected in any ordinary year, the chances for continuity are good.

The plan provides all the advantages of the commission-manager plan

except the unification of powers, and in that respect it improves radically upon the existing three-headed government. It creates a commission and manager who work together in the usual way subject to the additional requirement that the commission must annually and in person submit its major projects to a large popular body and secure from it money and consent before going ahead.

You accept the idea as rather good, subject to the reserved privilege of changing your mind as often as you please?

So do I!

REFLECTIONS ABOUT STATE LEGISLATURES

BY H. S. GILBERTSON[1]
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EVERY second winter in forty states, a common resolve is forming itself in the minds of countless discontented and forward-looking and designing people. The big building with a gilded dome in the capital city becomes the mecca of two great companies of those who long to make things better, and of those who are just as keenly interested in keeping them just as they are. For ours is a "government of laws"; the world is to be set right and kept right by enactment, and people flock to the legislature to "get a law passed."

The legislature by common consent is such an all-around, all-sufficient instrument of human welfare that democracies everywhere but in America have made it the very keystone of their systems of government. To the legislature they have been careful to make every other political agency definitely subordinate. They have considered that the control of the laws is the control of all.

Here in America, by contrast, the legislature has been allowed to fall into obscurity, to become so badly manned and equipped, and so unwieldy and uncertain in its responses that it is everywhere but a poor weapon in the hands of a people who call themselves free. We have taken some action to fit it to better uses, it is true. We have trimmed away its powers, by limiting the subjects which it may treat, by establishing minute rules for its procedure, by shortening its sessions. But, notwithstanding, the quantity of laws has steadily increased and their quality generally deteriorated. And as for its personnel, in some of the states, it has reached the very depths. In at least one state[2] the ordinary process of lawmaking has ceased to be seriously regarded as a means to progressive ends.

[1] Executive secretary, National Short Ballot Organization.
[2] Oregon.

LEGISLATIVE DEGENERATION

It must be frankly admitted that the story of American state legislatures is a record of degeneration. The worst enemies of the people could have executed no more effective *coup d'etat* in behalf of oligarchy than did their best friends when they set up the machinery for throwing the legislature into the background. They simply put innumerable minor officers on the ballot in the name of a more complete democracy. A coroner, a sheriff, a secretary of state and anywhere between a dozen and fifty others, the mere errand boys of the law, became not equal but superior to the direct representatives of the people. The candidates for what, logically, is the one office of highest importance in a republic, were henceforth on election day to be lost in the woods and the voters were to loosen their grip on their most powerful leverage to power.

By the same sign the obscurity of the legislature was intensified by lessening the political importance of the individual member. The New Hampshire house of representatives has a membership of four hundred. Each member is but one four-hundredth part of a great mass meeting. In New York each assemblyman represents one one-hundred and fiftieth of the people. But even the one hundred and fifty are but one of three distinct branches of the law-making power. Small men for small jobs!—that is what the public has come to think of legislative office—a state of mind that grows out of the intricate ballot and minute divisions of authority. The wonder is that legislatures contain as many men of weight as they do.

But the confusion and obscurity only *begin* at the ballot.

THE EFFECT OF SPOILS

When the session opens it is in an atmosphere, thick with extraneous issues, that of necessity dims the vision of the members to the greater interests of their constituents. The great and glorious company of door-keepers, sergeants-at-arms, clerks and messengers that swarm the legislative halls in the larger states, represent bargainings of principle for votes and of independence for practical results, just so many links that tie the individual members to the common fortunes of combinations which no one for a moment believes are working in behalf of the general good. A mechanical obstacle has been set up to single-hearted, public-spirited action by the spoils which prevail in every state legislature except that of Wisconsin, where the merit system is in operation.

In the upper house of most of the states the patronage evil takes another form through the power of confirmation of the governor's appointments. Originally intended as an instrument for eliminating the unfit, this bridge between the executive and legislative branches has become the basis of a system of partisan barter and intrigue and a shield

for the governor from public criticism of unfit appointments, and an obstruction to clear thinking and single allegiance.

Of the same genus is that great mass of special legislation that has grown up in many states to meet the needs of cities and counties. It has taken the legislators far afield from the main purposes of their office; it has impaired local self-government. But above all it has created endless opportunity for back-scratching and log-rolling, for casting shadows on the really important concerns of the people of the whole state whose servant the legislature is.

But the irresponsibility and obscurity of the state legislature are by no means "acquired characteristics"; they were not altogether achieved in the course of its development.

The fact is, American legislatures as we know them today took shape amid the influences of the Revolutionary period when monarchy was making an especially wicked exhibition of itself and yet before democracy had become a widely accepted principle. Democracy took a forward step in the early colonial period when the second or lower house became an institution. "The people" thereby acquired an instrument of negative control; they were grateful for small favors.

THE UPPER CHAMBER

In the federal constitutional convention the upper chamber idea received the approbation of conspicuous conservatives and reactionaries. But the tide by this time had turned. Now it was the propertied classes that sought to hold down the people at large. Alexander Hamilton even went so far as to suggest that senators, like judges, should hold office during good behavior. During the best days of the slave power it found one of its stoutest champions in the person of John C. Calhoun. That the designs of its champions were realized is attested by Woodrow Wilson when he summed up the case by saying that the senate is valuable in our democracy in proportion as it is undemocratic.

With the passing of the Adams and Hamiltonian group and the accession of the New West as a factor in national politics, democracy and equality became, formally at least, the order of the day. Men began to talk less freely and openly of "classes." The defense of the second chamber from the time of de Tocqueville shifted its grounds to considerations of the deliberative quality of the second chambers—on which point of view a typical expression is that of Prof. John W. Burgess:

> The primary purpose of the legislature is to ascertain what the law ought to be, to determine not what the will of the people commands, but what the reason of the people, the common commissioners demands. . . . A legislature of one chamber inclines too much to radicalism. One of three chambers or more would incline too much to conservatism. The true mean between conservatism and progress, and therefore the true interpretation of the common commissioners at

each particular moment, will be best secured by a legislature of two chambers.

The *thinking* of the country set more and more strongly toward a more perfect rule of the people. By a curious perversion of fate the *machinery* of self-government adapted itself more and more perfectly to the needs of the few. Legislative organization contributed its full share to the growth of invisible government. The demand for "more democracy" as a cure for partial democracy took shape in bigger legislative assemblies. This diminished the calibre of the individual members. Beyond that, it intensified the mob character of the assemblies—and mobs require dictators. This factor, together with the growing volume of business to be dispatched, brought about the need of a compact inner organization. The power of the speaker grew apace. Through his authority to recognize or not to recognize and to refer measures to friendly or unfriendly committees he came to hold the fate of pending legislation in the hollow of his hand. The individual member was reduced to the status of a trading unit.

THE COMMITTEE SYSTEM

People became so disgusted with the output of such methods that they resorted to another drastic remedy: they shortened the sessions to cut off the flow of laws. But this remedy like most of those which it preceded and followed, only aggravated the trouble. It was a simple matter of arithmetic. Given, let us say, a thousand measures to be considered; given also a sixty-day period in every two years in which to do it. It is obvious that a good many measures had to be kept going through the mill at the same time. To meet this situation the committee system became more and more indispensable. With this, open deliberation largely ceased and each committee became a little legislature by itself, obscure and irresponsible.

And so, seemingly, every device that could be invented to minimize the importance of the legislature and its individual members in the eyes of the voters, to distract the attention of the legislator from the proper business in hand, to center power in the hands of the few, but without responsibility or publicity, has been put to the test in the making of this all important engine of self-government. What was intended to insure deliberation has become an all too available instrument of evasion. For it has been the practice of one house confronted by a popular, but inconvenient measure, to pass it, in the hope and belief that the lapse of time will prevent its consideration in the other house and that it will thereupon die by limitation. Meanwhile the party of the first part gets the credit for being exceedingly responsive to the people's wishes; while the second is just simply too crowded with business to take action on the measure in question.

As the government not known to the constitution has desired action or inaction, haste or deliberation, so have the legislatures moved. No mere element of official organization has been able either to accelerate or retard. Only by some supreme effort or some accidental combination of circumstances at comparatively infrequent intervals have the great body of the people found themselves in power.

PRINCIPLES UNDERLYING REORGANIZATION

What to do about it, that is the question.

The new political science, replacing the doctrine of repression and negation and putting it squarely up to the people to make democracy real, says: "Make government visible, turn the light on the ballot, smoke out the public servants into the open, fix responsibility all along the line, concentrate the whole political force of the whole people on each successive issue. If the system breaks down, then it is time to call in the Kaiser."

Better law-making, then, is not a matter of a single, simple step. It calls for a straightening out of the battle line along the whole front.

NEEDED SIMPLIFICATIONS

Begin by taking off the back of the legislature, responsibilities which properly fall upon other shoulders—relieve Albany, Springfield, Boston, of their concern over innumerable measures—that run up into the hundreds at every session—which should be the "worry" of particular cities and counties. Clear the legislator of the temptation to trade the interests of his constituents against the welfare of the whole state and you have already done much to establish that singleness of sight which is the highest virtue of a law maker. Twelve states have already accepted this principle of *municipal home rule* and the body of laws in those states is the healthier for it.

Simplification No. 2 would consist of relieving the legislature of its non-legislative duties. The swarms of legislative employes that throng some of the state capitols on pay day would cease to be a distracting influence to the members with political debts to pay, if every one of them were appointed, as they are in Wisconsin, under the rules of the civil service commission. There is perhaps as great or greater reason why the merit system should prevail in legislative bodies where fundamentals of government are dealt with, than in the administrative branch.

Simplification No. 3 would concern itself with stripping the mind of the voter and the citizen of confusing issues on election day and helping him to concentrate his power where it ought to count most. This is the principle of the *short ballot*. If the people are to think clearly, see straight and act single-mindedly, when they are giving their sailing orders, it is obvious that a deal of cutting away of rubbish will have to be

undertaken at that all-important point. From the standpoint of effective voting, such officers as coroners, sheriffs, secretaries of state, attorneys-general and their like, are plain trash. The candidates for the legislature must be made infinitely more prominent and conspicuous than clerks of courts. The attention of the electorate must be diverted from non-essentials and false issues—the mere cogs of the governmental machine,—to the legislating or policy determining officers, who need *all* the room on the ballot.

(By a happy coincidence, the same pruning away of the ballot which would throw the legislature into high relief also works out in the interest of a better organized, better controlled executive department; but that is a story by itself.)

Then finally the internal simplification of the legislature itself. It is vital that the people should know where their law makers "live." No more of the moving platform or the three ring circus. No more vibration of responsibility from the senate to the assembly and back again, to the reward of the dodger and the "pussy-footer." No more privileged machinery of obstruction. When once the whole people's mind is really made up, every consideration of democracy dictates that it should prevail. The remedy is the unicameral system: *one house and a comparatively small one*—big enough to represent everybody but small enough to be watched and to talk things out.

ONE HOUSE AND A SMALL ONE

The idea is not new. Governor Hodges stirred the country four years ago with an appeal to the legislature of Kansas for the establishment of the plan in that state. The success of commission government, the abandonment of the clumsy two-chambered city councils in many of the larger cities, have blazed the way for the extension of the idea to states. It is supported by the weight of authority in political science and practical statesmanship as represented by such men as John Stuart Mill and Benjamin Franklin. Switzerland, Norway and most of the Canadian provinces have the unicameral system and have found it good.

But how construct a single house? No careful system applicable to our peculiar conditions appears as yet to have been worked out. Such a body will be constituted in different ways according to the peculiar massing of the people in cities and in rural districts and on different lines of communication and to their distribution in industries and occupations and along lines of nationality. Whether the selection of representatives shall be made by geographical divisions or according to some other classification is a separate question to be worked out by the case method, in each jurisdiction. The main point is that the legislative body shall be representative in the fullest sense.

It then becomes necessary to decide what, after all, is the represen-

tative's actual function. Here we shall surely be compelled to base our calculations on human nature as we find it and not as we think it ought to be. The English people, who have the longest experience with self-government, have evolved, probably instinctively, a plan for the functioning of the people through election machinery which seems to give them the very maximum of political power. What can the crowd which we call an electorate effectively do? Only by a miracle could a whole constituency have at the same moment precisely the same deliberate thought on the same subject. It is true that crowds have common impulses, but who would base legislation upon impulse? What then does lead the crowd to have a common thought and conviction? Undoubtedly it comes about that someone has a theory of action; he puts it into form; possibly he makes clear and sharp the vague mental gropings of a number of men. Through explanation, discussion, agitation and organization it becomes the common property of a growing constituency, perhaps of a majority. And so the crowd puts its seal of approval on the proposal. It assents or dissents but, as a crowd, it does not initiate.

THE LEGISLATIVE LEADER

Now that is a cardinal fact to be recognized in the construction of legislative bodies: *the ultimate and all important duty and function of the people and even of their representative bodies must be simply to assent and dissent. To a single leader or group of leaders must fall the responsibility of initiative;* of interpreting, crystallizing and formulating the vague and dormant thoughts of the people and submitting their formulations to them for correction and adjustment.

We must set up in our legislative bodies the definite machinery of initiative and assent. If we fail to do so the actual management of legislation will continue to lie outside the control of the people, in the hands of unofficial and irresponsible leaders. For leaders there must be.

In the further interest of presenting to the people a clear unobstructed view of doings at the state house; the major legislative issues must be brought up for treatment, not in a heterogeneous muddle but one at a time, or as nearly so as the volume of necessary legislation will permit. This cannot be the case if we cling to the tradition of the sixty-day or ninety-day biennial session which is in vogue in most of the states. For the short session means congestion, which can only be relieved by dividing the legislature into numerous little legislatures.

It becomes necessary, then, to accept the principle of the continuous session. "Let that bunch at the capitol stay in session all the year round!" will be the first and most natural reaction of the man on the street to this proposal. The answer will be "No, not that bunch, but a very differently constituted bunch, visible, responsible and armed with the tools for expert action. And not in continual session for the *passage*

of measures, but what is of equal or even greater importance, for preparation of and for preliminary deliberation upon pending legislation, one measure at a time—which is a very different proposition."

To come now to the definite form of such a legislative organization. Take for simplicity's sake a state of fairly homogeneous population like Iowa, Kansas, Nebraska, or one of the Dakotas. How shall we incorporate the principles of leadership and assent, provide for deliberation and continuous session?

The suggested procedure might be somewhat as follows: To begin with, it seems reasonable to suppose the needs of representation would be simply met in a single legislative chamber of perhaps fifty members. How shall they be chosen? Obviously no voter would care to send fifty delegates to the state house. He simply would not select that number or anything like it. The actual selections under some disguise or other would have to be made for him by some unofficial body. A system of proportional representation could easily be devised to fit the situation, or if this principle should seem to be too much of a novelty, the logical plan would be to divide the state into districts of approximately equal population. The districts, however, should be few in number with a view to investing the individual representative with a greater importance and thereby increasing his visibility.

Concretely, let us propose ten districts in each of which there would be selected on a general ticket, five representatives. From their own number each of the ten groups of five would choose one member as their official leader, with some such distinctive title as "legislative councillor."

LEGISLATIVE COUNCILLORS

The "legislative councillors" from the ten districts would constitute that inevitable group in the legislative assembly which must take the initiative in all matters. But this, unlike the coteries which control the legislatures now, would be an official body and would constitute the chosen leadership of every section of the state, the positive force in lawmaking.

The legislative council, and not the entire membership, would sit between sessions, continuously, if necessary, in the capacity of a committee, in lieu of many committees sitting simultaneously. It would hold hearings, receive bills for introduction, supervise the drafting of laws and furnish a permanent connecting link between the people and the administrative or operating branch of the government.

The legislature proper would meet annually, principally only for the purpose of final debate and passage of measures. Its action would of course not be dependent upon the will of the legislative council, for it would have the power to receive measures on its own account and refer them to its own committees. The governor himself should either have a

seat in the body or it should have access to him and he to it, at all times.

Some such arrangement as this would tend to make the legislature a simple, dignified, orderly, understandable body upon whom would be focussed a strong light of publicity. It could not escape accountability to the people. Armed with an expert staff of investigators and bill drafters it would be without excuse for hasty or ill-considered action. The autocracy of the speaker would give way. The needs of progressive democracy for the machinery of positive expression in the statutes would thus be met.

AMERICAN CITIES AS FOSTER-MOTHERS

BY MRS. N. M. FORBES[1]
London, England

AFTER the war, what? In our war hospital work in France the immediate needs are so pressing that only in flashes is there opportunity to see beyond the horrors of today. In these flashes we nurses realize that ours is not all the work. We are helping to save the lives of those who are fighting to save France and liberty. After us must come those who will help restore the ruined France in order that the regained liberty may be enjoyed. One lonely rainy night I started building a castle in Spain and I saw the blackened fields again green, the blue smoke once more curling up from cottages and towns and the laughter of children once more heard.

Cannot this castle in Spain, like many another, become a reality?

THE TASK OF REBUILDING

All through the invaded district, and especially along the battle lines in France and Belgium, cities, towns, villages and farms have been devastated. Family and community life have been destroyed, the means of support have been cut off, and next to nothing remains of the schools, churches and other things that tend toward a higher life.

To rebuild these cities, towns, villages and farms, and reunite and re-establish families and communities, give them a means of earning a livelihood, and furnish them with schools, universities, libraries, museums, hospitals, churches and cathedrals—is a task of reconstruction perhaps as great and as important as that of supporting the army that must check the inroads of militarism and preserve the world for liberty.

The French have taken hold of the military task cheerfully and unflinchingly. They have been doing the same with the task of caring for the people from the devastated and occupied regions. They have shown

[1]Mrs. Forbes has since the outbreak of the war been serving in France as a French Red Cross nurse.

a wonderful spirit in this fight which is not only for themselves but for all people. They have won the admiration of their allies, of neutrals, even of the enemy. There is a limit to what they are able to endure. It cheers them and gives them fresh courage as one by one the nations of the world array themselves on their side. This was especially true when America finally entered the war. It has cheered them, too, to know that in every city and town of America men, women and children have been doing their bit and giving their mite for the Red Cross and all the various other relief organizations. It will cheer them, too, to know that America will help with the task of rebuilding the devastated region.

HELP FROM AMERICA APPRECIATED

There is something beautiful in this family-like help from America. Perhaps those of us who are acquainted on both sides of the ocean appreciate this the most. The grain raised on the prairies is feeding those whose fields have been made barren by battles. Baby clothes, made by groups of American women, are clothing the fatherless and homeless. Bandages and surgical dressings, perhaps from New York, or perhaps from Iowa or California, are easing the pain or saving the life of many a tired and wounded *poilu*. Those Americans who have been here as ambulance drivers, in the flying corps, as surgeons, as nurses, or as executives in the relief organizations, have of course had a personal contact. Others who know and love France have had a personal feeling. But the French realize that the great bulk of this help from America comes from those who have not been in France, and are helping merely out of sympathy for what the French people have been suffering and doing for the rest of the world.

Would it not be of advantage to both if a closer relationship could be established between the helper and the helped? This, it seems, would be especially true when it comes to the re-establishing of family and community life and the rebuilding of cities, towns, villages and farms in the occupied and devastated region. Think of what it would mean for an American city to "adopt," as it were, some French town! It could succor it now in its time of distress, could help it rebuild houses and even public buildings, could help families restart their lives in their former occupations, could renew the live stock and agricultural implements, and help it in every way to become again a self-supporting, self-respecting and self-confident community.

"ADOPTING" A FRENCH TOWN

The size of the community to be "adopted" would vary in each case with the resources and the interest. It might be a city, or a town, or a tiny village, or even a small farming district. Thus Detroit might adopt Soissons; Washington, Noyon; Pittsburgh, Lens; Cleveland, Liege;

Boston, Louvain, and other cities smaller towns and villages. Or some agricultural state like Iowa might adopt a farming community. The interest should of course be very close and very personal. The American city should have its own committee or board which should itself visit or send representatives to select and visit the town to be helped. This should be done in co-operation with French advisors, and perhaps with Americans who have lived in France and know French conditions and French likes and dislikes. Members of the American clearing house committee in Paris, or those who have been connected with any of the American relief organizations in France would be of use for this advice. All that is done would have to be in accord with French ideas of life. The advisors in France would be valuable in selecting the towns, in establishing the broad policy to be followed, and in general acting as a go-between between the two committees. Someone, preferably one with experience in France, should be on the ground to direct the carrying out of the work. The need of the special town or district should be carefully studied just as the Americans are accustomed to study actual conditions and needs in their city surveys or charity and housing surveys, and in their city plans. The American architects, housing, city planning and other civic and public organizations could be of help. To make it all more personal, maps and photographs should be secured, as well as papers and personal letters. This would make possible a constructive policy of new planning and new building based on the past, and on present and future needs.

AMERICA QUALIFIED FOR THE TASK

"American adaptability," American resourcefulness, the genius for organization, the appreciation of the difference between the essential and the unessential, the experience gained by going into a wilderness and developing it into a happy prosperous land in a generation, the courage to undertake, and the grit to carry through, seem to fit the Americans especially to direct this realization of what may seem a dream, but what must come true—the turning of ruins into homes.

There will be many difficulties to overcome, many complexities to set in order, but the work should not be undertaken by those who are not ready to face difficulties, or who have not the clear vision to see the future rising out of the ashes of the present.

In the first place a distinction must be made between temporary immediate relief, and permanent rebuilding. Many of the people from the evacuated districts are left without shelter, clothes or food, and with no means of earning a livelihood. They cannot wait for their towns to be rebuilt. To meet such conditions it is necessary that a certain amount of work of a purely temporary nature be done at once, ahead of the more asting reconstruction. The French have themselves shown how this

can be done, although they do not blind themselves into thinking that this emergency work meets the permanent needs.

THE NEW TOWN SHOULD GROW OUT OF THE OLD

The new town should grow out of the old. The people helped should be those who belonged there before the war. Their names, ages, family relationships, and conditions should be secured. They should be encouraged so far as possible to enter their old occupations. The dressmaker should be helped to secure a sewing machine, the laundress a washing machine, the farmer a plow and team of horses, the shopkeeper whatever is necessary to open up for business again. It would be especially appropriate if articles actually made in the American city could be sent when suitable, but money and a great variety of stock and material would be needed. Religious preference should have no influence in the selection. The help should be of the constructive and not of the pauperizing kind. The people helped should be of the class who are willing to work themselves in order to regain and remake their former homes. They should give fair promise of leading respectable, useful lives. They should accept assistance not as they would alms, but as one who has been thrown down by a calamity accepts a helping hand to regain his feet. In this spirit I think you will find the French appreciate the help offered them across the ocean.

In a larger way, too, the new town should grow out of the old. It should not lose the spirit and traditions of the old. It may be hard for people in America to realize the love that the French, like most other Europeans, have for their own homes and villages. They do not easily "pull up stakes" as Americans do, and move to some new place where they think the opportunity is greater. The civilians of Rheims refuse repeatedly to leave it in spite of all their hardships and dangers. Of course the new town cannot be an exact duplication of the old. It would not be wise for it to be. But the spirit of the old should be retained. If the people are used to living in houses built to last for centuries, do not force them into shacks. If they are proud of the attractive open places of their town and of the beautiful architecture of their churches, town halls and public buildings, do not try to substitute monotonously straight lines and buildings lacking the touch that makes them something more than four walls and a roof. Of course, all this cannot come at once but the idea should be kept in mind.

MEANS MUCH TO THE FRENCH SOLDIER

When the new town begins to rise out of the ruins of the old it will mean much to the French soldier, worn and wearied by his years of warfare in the trenches. He will have the satisfaction of knowing that there is a roof for his brave and thrifty wife, for his children, and perhaps for

his aged parents who may hardly realize what has been going on. It will encourage him to become again a supporting member of society, to do his share in the upbuilding of the new France. And if the soldier has fallen it will mean that his dependents will have shelter and so far as they are able the opportunity of earning their own livelihood.

And the new town will perhaps mean as much to the citizens of its foster-mother city over there in America. They may not have had the opportunity of fighting in the trenches, of suffering all the terrors and horrors of modern warfare, but they will have the satisfaction of having helped in relieving their fellow men in France from part of this additional burden of reconstruction. The photographs and letters from their adopted town will come to them with the joy of news from a far son or daughter. And when they travel and visit their adopted town they can take a just pride in the good they have done for those who were called to fight in the first line of the defense of liberty.

PROHIBITION IN TENNESSEE

BY R. S. KEEBLER, ESQ.
Memphis, Tennessee

FEW states have had so dramatic an experience with liquor legislation as Tennessee.[1] There it has been the one issue for more than a dozen years. It has divided political parties. It was responsible for the death of the brilliant Senator Carmack, who in 1908 was shot down upon the streets of Nashville. It wrecked the political fortunes of Malcolm R. Patterson, who while governor from 1907 to 1911 was the champion of the liquor traffic, but who is now its implacable foe. It called into being an independent Democratic party which allied itself with the Republicans to overthrow the regular or local option Democrats, and in 1910 for the first time in thirty years a Republican was elected governor of the state. With the passage of a state-wide prohibition act in 1909 the issue was not settled; but with political parties topsy-turvy, with all other issues relegated to the background, the liquor problem has dominated Tennessee politics until within a year's time. The state has needed constitutional changes; but the wets were afraid of the drys and the drys were afraid of the wets; so the antiquated constitution of 1870 remains. The cities have needed the right of home rule; but to the rural communities home rule meant nothing more nor less

[1] For former references to the situation in Tennessee in the NATIONAL MUNICIPAL REVIEW, see the following: The Proposed Removal of Memphis Officials, vol. vi, p. 113; Memphis Ouster Cases, vol. v, p. 321; Nashville's Municipal Election, vol. v, p. 323; Recall in Nashville (in article on "Some Recent Uses of the Recall"), vol. v, p. 386.

than open saloons; so the legislature continues to dominate the local governments and each session shows an increasing flood of local bills. The state has needed social legislation in order to keep abreast of the current of modern progress; but the liquor issue has checked all else and the state has stood stagnant.

Happily, however, the issue has within the past two years approached a final solution, and the way is now clear for other reforms. But the agonies through which the state has gone, the blunders which were made, and the means by which a remedy was finally reached, furnish a lesson which may be heeded with profit by that rapidly increasing number of American states which are now embarking upon a similar course of legislation. The lesson is particularly valuable for those states having large cities which seem unalterably opposed to prohibitory laws; for in final analysis the problem resolves itself into an issue between city and country.

THE FOUR-MILE LAW

A brief history of the Tennessee liquor legislation will prove instructive. Tennessee proceeded under the principle of what is known as the "four-mile law"—that is, the prohibition of the sale of intoxicating liquors within four miles of any school-house. The first act was passed in 1877, which made illegal the sale of intoxicating beverages within four miles of an incorporated institution of learning, sales within incorporated towns and by manufacturers in wholesale quantities being excepted. Under this act an indictment would fail if it could be shown that the liquid was not a beverage; so in 1885 an act was passed which extended the law to the sale of intoxicating bitters. There was still a defect. If the institution of learning was not incorporated, an indictment would fail. So in 1887 an act was passed making it unlawful to sell any intoxicating liquor as a beverage within four miles of any school-house, public or private, whether the school be then in session or not; but sales in incorporated towns and sales by manufactories in wholesale quantities were excepted from the provisions of the act.

Under the operation of these laws the country districts, except for the "blind tigers" in the more remote places, were freed of saloons many years before saloons were driven from a single incorporated town. If a wet community desired to retain its saloons, it had only to incorporate and escape the rigors of the law. The fact that the country was rid of saloons first is significant. It caused to grow up a generation of farmer boys who knew nothing of saloons except as they existed in towns and cities, and it has always been the country vote which has determined the issue in all the later contests between the advocates and the opponents of the liquor traffic. It caused to spring up, too, an antagonism between town and country which deadlocked the state and frustrated movements toward other reforms.

PROHIBITION IN INCORPORATED TOWNS

The next liquor legislation was in 1899, when an act was passed extending the prohibitory law to towns of not more than 2,000 inhabitants which might thereafter incorporate; which meant that any town of 2,000 inhabitants or less could rid itself of saloons by reincorporating, the method being to hold an election for this purpose. In 1903 the law was extended to towns of 5,000 inhabitants. Under these acts the liquor shops were driven from the small towns of the state; so that country and town were lined up together against the larger cities in the final struggle. There was one difference between the four-mile laws of Tennessee and the ordinary local option laws. Under the Tennessee laws, when a town once reincorporated it could not thereafter change its mind on the liquor question and re-establish the saloons. They were gone for good.

In 1907 the legislature was ready to extend the four-mile law to the whole state, which it did by an act allowing cities of not more than 150,000 inhabitants to reincorporate and abolish their saloons. This act embraced every city in the state; and inasmuch as Tennessee is largely a rural state and has few real cities, there were by this time only about half a dozen incorporated towns where liquor selling was lawful.

It was soon seen that the wet cities would not reincorporate and thereby banish their saloons. Then it was that Senator Carmack entered the lists with the battle cry that the saloon had sinned away its day of grace and must be destroyed. The legislature of 1909 met shortly after his tragic death, and with resolute mind passed over the governor's veto an act absolutely forbidding the sale of intoxicating liquors as a beverage within four miles of any school-house. Supplementary acts prohibiting the manufacture for sale of any intoxicating liquor, the soliciting of orders for intoxicating liquors, and forbidding the public drinking of intoxicants on common carriers, were also passed. The sentiment fostered in the rural districts and small towns had now crystallized into a state-wide prohibition law.

The course of events since 1909 illustrates the inherent weakness of the Tennessee law. The governor was hostile to prohibition; and the large cities, where prohibitionists were in the minority, after making a feint of observing the law, openly disregarded it and proceeded to grant liquor licenses as theretofore. Then the Democratic party was thrown out of power, and a Republican, Benjamin W. Hooper, was elected governor by the support of the independent Democratic vote. The legislature of 1911 passed no additional prohibition laws. The state was getting its bearings. The larger cities continued to defy the law. There was no machinery in the governor's hands whereby he could enforce law observance. The legislature was hopelessly divided.

THE SESSIONS OF 1913

The legislature of 1913 met in regular session and shunted the liquor issue. A first special session was held, which again shunted the issue. The political atmosphere was tense. It was the big cities against the state, seemingly in hopeless deadlock. A second special session was called, and at last the liquor power in Tennessee saw the handwriting on the wall. Three anti-liquor acts were passed. One act required the filing of statements with the county clerk showing shipments of intoxicating liquors into the state or between points within the state; another prohibited the shipment of intoxicating liquors from one county to another within the state; while a third made the engaging in the sale of intoxicating liquors a nuisance which might be abated upon relation of any attorney for the state or any city or county attorney, or upon the relation of ten or more citizens and freeholders of the county where such nuisance might exist.

This last act, popularly known as the "nuisance act," tolled the knell of the liquor traffic in Tennessee. The people of the state had now the power to take the law into their own hands; and the state authorities were enabled to prosecute injunction suits against liquor sellers, of which there was a veritable avalanche, by the appointment of special attorneys. Regardless of local sentiment or the attitude of public officials, the law violator could now be brought to task.

But even the nuisance act was not sufficient. Public officials out of sympathy with the law, even some of the state's judges, threw every possible impediment in the way of the rigid enforcement of the law; and inasmuch as the defendant could demand a jury, conviction in some cities, notably Memphis, was almost impossible.

THE OUSTER ACT

In 1915 the Democratic party, which had come to realize the sentiment of the state at large and was pledged to vigorous enforcement of the prohibition laws, returned to power, with Tom C. Rye as governor. The legislature immediately addressed itself to the liquor problem, with which the courts had been struggling for two years, and passed an act which finally proved that prohibitory laws could really be made to prohibit. This act, known as the "ouster act," provides that any officer within the state (except those removable exclusively by constitutional methods) who shall knowingly or wilfully neglect to perform any duty enjoined upon him by any of the laws of the state, shall forfeit his office, and that ouster proceedings may be instituted by any attorney for the state, county, or city within their respective jurisdictions, or upon the relation of ten or more citizens and freeholders. The proceedings are made summary, thereby avoiding trial by jury. Other acts passed at

this same time were directed against the sale of intoxicants by soft drink stands, clubs and druggists.

From the ouster act, condemned by some of the old faith as undemocratic and unconstitutional, dates the beginning of effective law enforcement in Tennessee. Within a few months ouster suits were filed in Nashville and Memphis, the old régime was overthrown in both cities, and the moral effect throughout the entire state was immediate and marked. Officials who had hitherto said it was impossible to enforce the liquor laws began to change their minds, and by the close of 1916 the state was without a saloon and perhaps as dry as any other state in the union, with possibly one or two of the pioneers excepted.

THE DRASTIC LEGISLATION OF 1917

The legislature of 1917 met to inter the last remains of the liquor traffic in Tennessee. The old order had passed away. There was practically a unanimity of opinion, and almost without a protest the bills prepared by the anti-saloon league of the state were passed. They were foremost on the legislative program. The supreme court had on September 23, 1916, declared the so-called "locker law" of 1915 unconstitutional on the ground that the act was broader than the title, always a favorite method of assailing legislative enactments in Tennessee. On January 17, 1917, the legislature passed House Bill no. 1, prohibiting persons, clubs, lodges or associations from storing, keeping, distributing, or in any way disposing of liquor containing more than one half of 1 per cent alcohol. On the same day House Bill no. 2 was passed, known as the "wholesaler and bootlegger act," making it unlawful to have or keep in stock in any warehouse or place of business or other place within the state any intoxicating liquors intended for present or future sale as a beverage, either at wholesale or retail, and whether intended to be sold for delivery at the place of sale or to be shipped or transported elsewhere. A second offense under this act was declared a felony. Up to this time it had not been illegal to operate interstate shipping houses in Tennessee; and the border cities, Memphis and Chattanooga, had numbers of such houses which not only conducted an interstate traffic, but acted as recruiting stations for bootleggers. Another act passed in 1917 was the "anti-mail order act," prohibiting the receiving of orders for the purchase of alcoholic liquors; another was the "anti-bootlegging act," providing a penitentiary sentence of one to two years for persistent violators of the law against selling intoxicating liquors; another was the "drug store act," rigidly limiting the quantity of intoxicating liquors which a druggist may keep in stock and permitting the sale of alcohol only in quantities of a pint or less to a patient whom a physician has actually visited and for whom he has written three prescriptions, one for the druggist, one to be sent to Nashville, and one to be kept for two years. But the most

important of all the prohibition acts was the "bone-dry act," prohibiting the receipt of intoxicating liquors from a common or other carrier, prohibiting the possession of such liquors hereafter received from a common or other carrier, and prohibiting the shipment and personal transportation of such liquors into the state or between points within the state. It is believed that these laws, aided by the recent federal legislation forbidding the shipment of alcoholic liquors into dry states, have forever removed the liquor problem in Tennessee from the realm of politics and have hermetically sealed the state against the liquor traffic. The last chapter of the struggle which began in 1877 and which absorbed the thought of the state for a dozen years has now been written.

It remains to consider the effects of this legislation upon the economic and social welfare of the state; and inasmuch as the degree of law enforcement has varied in different portions of the state and the effects have not been altogether uniform, it is best to consider separately the situation in each of the larger cities of the state.

MEMPHIS

Memphis had by the 1910 census 131,105 inhabitants. It had as many as 600 saloons and numerous wholesale liquor houses. Situated on the Mississippi river, a meeting ground between north and south and east and west, with half of its population negro and a large number of its liquor sellers of Italian birth, a distributing center for a vast area of dry or semi-dry territory, Memphis was regarded as a city whose problem was peculiar. It was openly stated that the rest of Tennessee did not understand Memphis, and that Memphis never would conform to the prohibition laws of the state. Elsewhere throughout Tennessee, particularly in the rural sections, Memphis was looked upon as a modern Sodom or Gomorrah. Its murder rate during the decade 1904–1913 was 63.7 per 100,000 of population, the highest in the civilized world. In 1914 the rate was 72.2 per 100,000 of population. The average homicide rate for 30 leading American cities during the same time was 7.9 per 100,000 of population. Holdups were so frequent that decent citizens were afraid to venture upon many of the streets of Memphis in the night-time.

No one can understand the liquor situation as it existed in Memphis up till within the last year without knowing something of the political situation. The county officials of Tennessee are paid fees instead of stated salaries. Every liquor license meant fees, every indictment meant fees, every injunction suit meant fees. The offices of sheriff and trustee of Shelby county, of which Memphis is the county seat, were reputed to be worth from $25,000 to $40,000 a year. Mere court clerks received from $10,000 to $25,000 annually in fees. Naturally these offices were eagerly sought after. The prohibition act of 1909 outlawed every liquor seller in Tennessee. In the half dozen years which followed, the political

machine of Shelby county used the prohibition act as a means of blackmail. The liquor sellers were forced to contribute heavily to the expenses of conducting political campaigns or their businesses were in jeopardy. They were forced to register migratory negroes and to turn over the fraudulent registration certificates to the machine, which placed them in the hands of repeaters on election day. It is charged that in the election of August, 1914, there were voted as many as 10,000 of these fraudulent certificates. (The payment of poll taxes for the purpose of influencing the votes of others and the collection of registration certificates were made felonies by the legislature of 1917.) Until the ouster act changed the complexion of affairs, a handful of men controlled the elections of Shelby county. It was evident from the outset that in such a community the prohibition law would have rough sledding.

When the state-wide act of 1909 first became operative, some of the liquor dealers of Memphis closed their doors for a brief season, wondering what would be the outcome; but seeing that no effort was being made to enforce the law, they soon resumed their operations as openly as if no law existed. This situation has often been referred to by those who contend that prohibition cannot be made to prohibit. The only difference between the situation just after 1909 and formerly was that the state and local governments lost a large amount of revenue. But the Shelby county officials soon learned that their means of obtaining revenue was not entirely cut off, and in 1911 there was a notorious shakedown, when 1,062 indictments against liquor sellers were returned and put through the fee mill. It was brought out at the impeachment trial of the Shelby county attorney-general in July, 1916, which resulted in his removal from office, that it cost the county about $10,000 to indict these liquor men, not for violating the four-mile law, but for failure to pay a retail liquor dealer's license. A system was developed of postponing the trial of criminal cases from time to time, whereby the sheriff and criminal court clerk derived additional fees from the resummoning of witnesses. This system was reduced to a fine science, so that often the most trivial indictment yielded handsome returns.

MEMPHIS: LICENSE FEES AND FINES

In 1908 the city liquor license fee was $50. Nothing was received from this source after the state-wide act became operative on July 1, 1909, until 1912, when the city authorities concluded that the city might as well be making money out of the situation as the office holders. On January 13 of that year an ordinance was passed requiring a license fee of $250 a year from all liquor dealers, both wholesale and retail. This ordinance continued in force until the nuisance act became effective on March 1, 1914. It yielded in 1912, $123,937.85 in revenue; in 1913, $120,250; and during the two months of 1914, $17,493.25. The total

city revenues reached their high water mark of $1,776,634.60 in 1913, from which date they have slightly fallen off on account of the loss of liquor revenues. The expenses of the city administration steadily increasing, the municipal finances were placed in a perilous situation, from which they have not up to this time recovered; but the loss of liquor revenues is by no means the sole factor in this situation.

After the nuisance act became effective in 1914, a new method of recouping the city and county revenues flourished for a season. The city officials dared not collect license fees from the lawless saloons; but about once a month the saloonists were arrested, brought into court, and forced to pay a fine of $50. During the six years from 1909 to 1914 inclusive, Memphis received an average of $16,622.11 from fines and forfeitures. The highest amount received in any one year was $24,188.85 for the year 1912. But in 1915 the amount from this source was $66,885.90. It was charged in the ouster suit brought against the city officials in the latter part of this year that the system of fining was a veiled substitute for the old license system, and the officials did not contest this charge.

MEMPHIS: THE USE OF THE OUSTER ACT

The ouster act of 1915 is responsible for the altered condition of affairs in Memphis. Under the nuisance act the courts were crowded with injunction suits, but the administrative officials gave little encouragement to law enforcement and the two criminal courts were notoriously out of sympathy with the law. During the greater part of 1915 conditions were intolerably bad. The homicide rate was still the highest in the civilized world, there being 76 homicides in this year, of which 61 victims were negroes. Many saloons which were ordered closed by order of the chancery court used their signs, "closed by order of the chancery court," merely as an advertisement to attract customers. One liquor dealer was arrested forty times; another, thirty-nine times. On October 14, 1915, an ouster suit was brought under the new law against the mayor, the commissioner of police, the inspector of police (as to whom the proceedings were dismissed), and the city judge. It was charged that these officials had neglected to enforce the laws against the sale of liquor, against gambling and against prostitution, that they had connived at and encouraged the violation of these laws, and that there existed and had been conducted during their terms in open violation of law numerous saloons, gambling houses and houses of ill fame. The defendants did not deny these charges, merely raising the legal issue that the ouster act was unconstitutional. This issue was decided against them by the supreme court, and the city officials were ousted.

About this same time an ouster suit was filed against the sheriff of Shelby county, charging that he not only failed and neglected to enforce the liquor laws, but that through agreement or understanding with the

officials of Memphis he permitted saloons to be run in violation of law.

The defendant contested the charges, and numerous witnesses were examined. The report of the supreme court's opinion in this case[2] covers 86 pages. All the charges were established with but little conflict of testimony, and the sheriff was ousted. The ouster act did not apply to judges and attorneys for the state; so the governor called the legislature in session early in 1916 to consider impeachment charges against the attorney-general and the two criminal judges of Shelby county. One of the criminal judges resigned. The other two officials were impeached, and during the summer of 1916 they were tried before the senate sitting as a court of impeachment. Both were removed from office. The governor, who was zealous for law enforcement, filled the vacancies thus created with men who were known to be in favor of law enforcement and opposed to the old political machine. The man who prosecuted these ouster and impeachment suits through the courts, who broke up the corrupt political machine, and who more than any other is responsible for the altered condition of affairs, is Honorable Gus T. Fitzhugh of the Memphis bar.

The city officials who came into power after the ousting of the old régime bowed to the inevitable and began a *bona fide* effort to enforce the law. In June, 1916, the new mayor, not liking the attitude of the commissioner of police, who had stated that the liquor laws could not be enforced, took the situation into his own hands. The results were immediate. On June 23 there were only two arrests, neither for a violation of the liquor laws. On the fourth of July there was not a single arrest for drunkenness, an unprecedented record. On July 11, twenty-three members of the state senate, then sitting as a court of impeachment, wrote a letter to the mayor of Memphis commending his enforcement of the law and stating: "Your administration will mean much for the city of Memphis and the people of the state, and will go far towards settling the vexing questions that have disturbed Tennessee for ten years."

During the summer of 1915 there were 33 holdups in Memphis; during the summer of 1916 only four. An article published in the *Commercial Appeal* on September 22, reviewing the altered condition of affairs following the inauguration on June 28, 1916, of vigorous law enforcement as contrasted with the situation during the same period of 1915, stated: "Begging is less frequent. The figures stand twenty-four to one, because most of the beggars came from saloons and most of them took their money to saloons. . . . The decrease in the number of arrests for disorderly conduct, reduced from 282 to 23 during the above period, is self-explanatory."

[2] *State* v. *Reichman*, 135 Tenn. 653.

MEMPHIS: DECREASE IN DRUNKENNESS

It is interesting to note the rapidity with which public drunkenness has decreased in Memphis. In 1912 the total number of arrests for drunkenness and for drunkenness combined with disorderly conduct, was 1,447; in 1913, 1,086; in 1914, 589; in 1915, 472; and in 1916, 302. In 1916 there were 34 charges of murder docketed on the Memphis police records, which is the lowest in many years. It is a conservative estimate that the class of crimes which are traceable to the effects of intoxicating liquors has decreased at least 50 per cent during the last twelve months. In summing up the results of six months of real prohibition, the *Commercial Appeal* stated in an editorial of February 14, 1917:

There have been fewer arrests of both whites and blacks in Memphis during the last six months than during any other six months for ten years. There has been a reduction of tragedies which have their origin in liquor. Prohibition has already materially dimmed the lights in the redlight district. . . . Prohibition has also interfered with the gambling industry. Retail merchants find their collections better under prohibition than they did before prohibition was in order. All lines of business in Memphis under prohibition during the last six months have prospered as they never did before. Certainly prohibition has not hurt general business. The people of Memphis would not vote to return to the open saloon. After two years not a corporal's guard of thinking citizens would vote for the old order.

Citizens who were bitterly opposed to the abolition of the open saloon are now not only reconciled to the situation but admit very frankly that conditions are vastly improved. The local optionists tried to put a legislative ticket in the field at the election of November, 1916, but their candidates were a negligible factor in the election. Memphis has already become as decent and orderly as any other city in the state; and unless present indications are deceptive, her criminal record will within a short time be her pride and not her shame.

NASHVILLE

It has been widely advertised that Nashville became bankrupt on account of its loss of liquor revenues. The statement is not altogether true, the evidence produced in the trial of the ouster suit against the mayor and one of the commissioners revealing gross frauds upon the treasury entirely disassociated with the abolition of saloons.

With reference to the charge in the ouster petition that he had failed to enforce the liquor laws, Mayor Howse said in his answer:

Answering further, the defendant Hilary E. Howse says that from the time he was elected mayor in October, 1909, up to January 15, or thereabouts, 1915, liquors were sold in Nashville with his knowledge, and that he was elected to office when the public sentiment of the city was such that it demanded the sale of liquors. Defendant knew of their sale and did not order or direct the suppression thereof, because he had announced

in his candidacy for the office in 1911 that he was opposed to prohibition, but favored local option, and he lived up to the statements he had made to the people who elected him after election as to the practice in the enforcement of the liquor laws.

The supreme court remarked, as to this admission: "The facts just recited, without more, constitute ample cause for ouster."[3]

The ups and downs of the liquor traffic in Nashville were much the same as in Memphis. A system of monthly levies was resorted to by the city authorities, which were the price of immunity for the open violation of the law. The passage of the ouster act marked a change in the situation, and the removal of Mayor Howse had as wholesome an effect as did the removal of Mayor Crump of Memphis.

The results of law enforcement in Nashville have been so gratifying as to render undesirable a change to the old system even if such were possible. A letter written to the author on April 12, 1917, by Rev. J. D. McAlister, superintendent of the Tennessee anti-saloon league, contains this statement: "The chief of police of Nashville told me a few days ago that he had been completely converted to the cause of prohibition, for the reason that there had been far less poverty in Nashville this winter than ever before, and because of the remarkable decrease in drunkenness and general 'cussedness' in the last sixty days."

CHATTANOOGA

The situation in Chattanooga has differed from that of Memphis only by reason of the fact that its population is only about a third that of the latter city. The mayor from 1909 till 1915, it may be said, was favorable to law enforcement, but public sentiment was overwhelmingly against him, on account of the mail order whisky houses and the large amount of money invested in the beer and whisky business, due to the city's proximity to the Georgia line. Spasmodic efforts were made to enforce the law, but the net results were anything but gratifying. The influence of the local press was largely against the prohibition law. Upon the passage of the nuisance act a more systematic and powerful effort was made to put an end to the liquor régime, but in 1915 a mayor was elected who was not in sympathy with prohibition, and the present situation in Chattanooga is much worse, so far as violations of the law are concerned, than elsewhere throughout the state. The ouster suits filed in Nashville and Memphis have had a powerful effect upon the officials of the other cities of Tennessee, and there is an outward show of law enforcement in Chattanooga; but it is felt by the advocates of prohibition that the efforts of the present city administration are only half-hearted.

However, the sentiment of Chattanooga is rapidly crystallizing in favor of the rigid enforcement of the law, and even the spasmodic attempts at law enforcement thus far made have not been without their

[3] *State* v. *Howse*, 134 Tenn. 67, 89.

beneficial results. The loss of privilege taxes has not impaired the city's finances. There are fewer vacant business houses than at any other time within ten years. There is a noticeable decrease in public drunkenness, and the welfare of the laboring classes has much improved. It is not too much to predict that within another year Chattanooga will be as dry as any other city of the state, not merely on account of the recent "bone-dry act," which became fully effective on July 1, 1917, but on account of the increasing conviction of the citizens themselves that a dry city is not a dead or backward city.

KNOXVILLE

Knoxville has a more consistent record of law enforcement than any other city in Tennessee. Its saloons were first closed, by municipal election, on November 1, 1907. From that time until now, with the exception possibly of the period from 1912 to 1915, there has been a genuine effort to enforce the law. A great many difficulties were encountered, the chief ones being the interstate shipping houses, always local centers of infection, and the refusal of juries to convict offenders. Under the grand jury system of indictment which exists in Tennessee, not only must eleven of thirteen grand jurors vote in favor of indicting an accused person, but he must also be found guilty by the unanimous verdict of a jury of twelve men. Thus the liquor law was largely at the mercy of public sentiment, which, while stronger for law enforcement in Knoxville than elsewhere throughout the state, was by no means unanimous. Also, often the only penalty imposed upon conviction was a fine of fifty dollars, which the liquor sellers readily paid, considering it in the light of a license fee for continuing their business.

In 1912 Knoxville changed from the aldermanic to the commission form of government. The mayor and commission then elected were not in sympathy with law enforcement. It is charged that the liquor sellers of Middlesboro, Kentucky, financed their campaign. At any rate it became the policy of the majority of the commission to allow soft drink stands to sell intoxicating liquors, the offenders being cited to appear before the city judge once every three months, when a fifty dollar fine was imposed. This system netted the city about $26,000 in fines during a single year.

In the municipal election of 1915, the former mayor was not a candidate for re-election. The issue was law enforcement, and its advocates carried every ward in the city. Since that time the prohibition law has been enforced as well as it could be enforced in view of the fact that shipments of liquor into the state were lawful, and interstate shipping houses were allowed to flourish within the state. On account of the imposition of workhouse sentences upon bootleggers, the situation was well in hand even before the legislation of 1917, which has now effectu-

ally put an end to all interstate shipments of intoxicating drinks. During the early part of 1916 the criminal judge of Knox county, in charging the grand jury, called attention to the fact that the jury faced the lightest criminal docket within the last forty years. Judge Nelson attributed this marked decline in criminal prosecutions to prohibition. In some of the nearby counties there have been no criminal cases at all on the dockets for several sessions of the criminal court, which is a commendable record for the supposedly lawless mountaineers and moonshiners of East Tennessee. It is estimated that crime in this section of the state has decreased at least 50 per cent since the passage of the state-wide prohibition act in 1909.

Since the passage of the "bone-dry act," the beneficial result has been marked. The present city judge is authority for the statement that domestic quarrels have decreased 90 per cent, and that the total number of persons tried in the police court between February 1 and March 10 decreased from 610 in 1916 to 186 in 1917. These dates were selected only because the figures were compiled on March 10, 1917, and the "bone-dry act" was not passed until February 2, 1917.

SMALLER CITIES AND TOWNS

The smaller cities and towns of the state have not experienced the reign of lawlessness which has existed in some of the larger cities. Practically all of them were dry before the state-wide act became effective, and, except for an occasional bootlegger, violations of the liquor laws are unknown. In all of them a strong prohibition sentiment has been built up, the economic disturbances incident to an abolition of the liquor traffic having long since subsided, and none of them would be willing to return to the old system. Prohibition in Tennessee has come to stay, and it is now not merely a law but a habit of life.

STATE FINANCES

The liquor issue, which for more than ten years has been dominant in all state and city elections, is now permanently eliminated, and the state is ready to grapple with other problems, chief among which are a new constitution and a new system of finances. The state is badly in debt, due in part at least to its losing the liquor revenues. In addressing the legislature on January 22, 1917, concerning the state's very serious financial embarrassment, Governor Rye pointed out that the state receipts from liquor licenses during the biennial period 1912–1914 amounted to $401,375.36, whereas for the period 1914–1916 the amount was only $16,127.35; which is a rather startling statement of fact under any interpretation, when it is considered that the state has been legally dry since 1909, the only lawful liquor establishments being the interstate shipping houses.

GENERAL CONCLUSIONS

The experience of Tennessee demonstrates that any state which adopts state-wide prohibition should enact all those ancillary measures which have been found necessary to a proper enforcement of the law. A mere prohibition act in itself will not prohibit; it is at the mercy not only of local sentiment but also of official indifference. It is necessary to have a statute similar to the Tennessee nuisance act, which will allow a minority to bring offenders to the bar of justice in spite of a hostile majority. It is necessary to have a statute similar to the ouster act, which will bring officials to a keen sense of their public responsibility. It is necessary to put an end at once to interstate shipping houses, since these are mere breeding places for bootleggers and lawless saloons. If these sources of infection had not been allowed to remain, the state of Tennessee would have been spared much of the travail through which it has finally arrived at a genuine era of prohibition.

The experience of Tennessee also justifies the general observation that, if a thorough-going legislative program is adopted, the duration of the economic disturbances incident to a readjustment of business will be much shortened, and the benefits of prohibition will be hastened. For Tennessee, at least, those benefits have been a marked diminution in poverty and crime and a healthier public sentiment which is manifesting itself along all the lines of progress. If a city as unfavorable to the enforcement of prohibitory legislation as Memphis was until the year 1916 can within a year's time experience a complete revolution of public sentiment, and that, too, not as a result of moral suasion but as a result of coercion from without and a practical demonstration of the benefits of prohibition, the prospect for the successful inauguration of prohibition in other American cities is most promising.

OLD DWELLINGS FOR NEW

EFFECT OF THE LAWSON ACT IN NEW YORK

BY JOHN IHLDER
Philadelphia

BROOKLYN rejoices in being called "a city of homes." At this year's session of the New York legislature it secured a law that modifies many of the provisions in the New York tenement house law. According to a leaflet sent out by Lawrence Veiller this new statute

Permits thousands of old private dwellings with *wooden stairs*[1] and *inflammable partitions*, many of them *veritable fire traps*, to be converted into tenement houses for three families, without any safeguards whatever in these respects.

[1]Italics are Mr. Veiller's.

Permits the construction in such houses of *small insanitary airshafts*, as small as 5 by 3 feet, covered over at the top by a skylight.

Means the use of thousands of *dark interior rooms* or "alcoves."

Will force thousands of families to live in *basements* who would otherwise live upstairs in new-law tenements.

Will have the effect of *stopping all new building construction* for several years and thus injure the building trades.

The future so graphically described is not a pleasant one for "a city of homes," but most of us, who live outside greater New York, could pass it by as no concern of ours were it not that the conditions in Brooklyn which led to the enactment of the so-called Lawson act are duplicated in many of our cities.

ONE-FAMILY, TWO-FAMILY, THREE-FAMILY

Brooklyn has always felt itself superior in the matter of housing to tenement house Manhattan though it long ago departed from the straight and narrow path of the real city of homes by becoming the home of the two-family house. When pressure of population made possible the renting of three-family houses certain real estate interests wished to take this second step down toward Manhattan's level. But they found the tenement house law in their way. New York, unfortunately, has confined its housing legislation to dwellings containing three families or more.[2] For them, however, it secured in 1901 a law that sets definite minimum standards for light, air, sanitation and fire protection. Those who had been accustomed to building two-family houses without much regard for such standards—and yet complain that their two-family houses do not pay—found that the restrictions imposed by the law took away most or all of the profit that lies in putting three families on a lot that previously had carried only two. Their arguments in favor of the change have been familiar in New England for a generation and have been thoroughly descredited by experience there. In Brooklyn they did not receive enough support to be of much more than lively academic interest until their advocates were joined by formidable allies in the persons of owners of large old private residences that had fallen on evil days. These owners became convinced that by converting their properties into three-family tenement houses they could retrieve their fortunes.

With their advent the fight became bitter. First, the tenement house committee of the Brooklyn bureau of charities, and this year the tenement house committee of the New York charity organization society, which had always been the chief defender of the tenement house law, acknowledged the weight of their arguments. The secretary of the New York committee, Mr. Veiller, remained obdurate, however, and at a hearing in Albany when it was evident that the bill would pass, denounced his committee as sub-

[2]At least it did until the enactment of the districting ordinance in 1916 and that does not come into the present controversy.

servient to certain real estate interests and resigned his position. Then he continued the fight as secretary of the allied committee of the C. O. S. on prevention of tuberculosis—but the bill was enacted and signed by the governor.

WHAT THE LAWSON ACT DOES

What it does is so to modify many provisions in the tenement house law that owners of large old mansions may convert them into three-family tenement houses at a minimum of expense, and to modify a few other provisions so that new three-family houses may be more cheaply erected. For instance, in converted houses the height of risers and width of treads of stairs need not conform to the law, existing winding stairs are permitted to remain, stair halls need not be made fire-proof or enclosed with brick walls, the space between studding to the depth of the floor beams need not be filled solid with incombustible materials, fire stops are not required nor fire-proof window frames with wire glass in lot line walls, nor plaster and incombustible material behind wainscoting. Some of these exemptions may seem of minor consequence but even such details as height of risers are of practical concern to the tenement housewife who must carry everything, including coal, up three or four flights of stairs. Unquestionably, these houses will be more inflammable and more vermin infested than would houses erected in accordance with the law as it was.

All these savings mean a considerable reduction in the livability of the apartments. The mere tabulation of them shows, however, what a great difference they will make in the cost of converting old houses. But for those who have not a financial interest in the houses, the strongest argument is that presented by Lawson Purdy. Most of these dwellings, he says, are not over 43 feet deep; practically never will house and rear extension exceed 55 feet. The lots are 100 feet deep. So there will be 90 feet between the rear walls instead of the 25 or 30 feet permitted by the tenement house law for new buildings. Moreover, they are only three stories and basement high instead of five or six stories, as new tenement houses may be. There are about 22 of these old houses, or 66 families to the acre. If new tenement houses succeeded them, the number of families per acre could be increased to more than 200. Mr. Purdy maintains that these old houses will consequently provide more nearly adequately for light and air than would new tenement houses. There is no denying the strength of this argument, for *the* fundamental in good housing is the maintenance of adequate open spaces about dwellings. It will be noted that this argument is purely against land overcrowding. For new three-family tenements the Lawson act also makes considerable concessions. All through the Lawson act is evident the intention not only to limit it to Brooklyn but to limit it, so far as converted houses are concerned, to the particular houses now under consideration. The definition of a three-family converted house is:

Any dwelling of brick or stone erected in a city of one million or more population prior to April tenth, nineteen hundred and one, not over three stories and basement in height, and not over forty-seven feet in depth, exclusive of bay windows and existing extensions, provided one side of such extension is separated for its entire length from side line of lot by an outer court of not less than six feet in width at all points, and the rear wall of said extension is separated from the rear lot line by a yard not less than ten feet in depth, and with no other building on the lot, converted or altered under the provisions of this chapter into a tenement house for not more than three families and not more than one family on any floor.

PROBLEM OF THE OLD HOUSE

The importance of this act, however, is not to be measured by the number of houses it affects. Back of it lies the unanswered question of what should be our policy in regard to the old house that has outlived its original purpose. Tenement House Commissioner Murphy of New York, who is quoted as being opposed to the Lawson act, has been accustomed to congratulate himself on the fact that the old law tenement houses in New York have in recent years been of rapidly decreasing importance. Not only have nearly all that remain been remodelled to comply with the law of 1901, but their inability to compete with the newer buildings has been so clearly demonstrated that they are disappearing. Now he will have to face the old house problem in the more difficult form that other cities know.

Will New York evolve a method of dealing with this problem that will limit it to its present proportions and to the houses now favored, or is the Lawson act but the forerunner of other bills exempting houses built since April 10, 1901? In the former case some successor of Mr. Murphy may be able to congratulate himself as Mr. Murphy did so prematurely. In the latter case we shall have a constant succession of compromises as other batches of old dwellings fall from their present estate. This not only will effectively check advances in housing standards, but, by putting into competition with new buildings these old structures, will materially lessen the supply of improved modern dwellings for people of small or moderate means.

Viewed as a matter of public welfare without taking into consideration the loss to owners of existing buildings, there is no doubt that it would be better to demolish these old structures when they have outlived the purpose for which they were erected, were it not that the New York tenement house law permits new buildings to occupy so much larger a proportion of the lot, 70 per cent instead of 40 to 50 per cent. Converted dwellings are nearly always makeshift affairs and those who inhabit them usually do so simply because nothing better is available. In order that they may be converted and yet pay a return it is necessary to relax regulations which experience has proved necessary to the health

and safety of the tenants. If these regulations are relaxed they may be converted so cheaply that new buildings can not compete with them.

The only solution of the old house problem seems to lie in an acceptance of the principle that when a builder erects a house he intends it to serve a definite purpose. If it outlives this purpose, or if the builder has miscalculated, the burden should fall on him, not on the community. A house is not immortal and should be insured against an unproductive old age or lack of employability, otherwise obsolescence, just as should the individual who inhabits it. Once this principle is established the worst of our housing problems will be solved, for then there will be little hesitation in decreeing that the old building which can not be brought up to modern standards must make way for the new.

We have taken a long step toward making the acceptance of this principle possible by the new districting or zoning regulations. As they will protect residence districts from unwarranted invasion by business and industry they will greatly reduce the number of obsolescent dwellings whose owners have a legitimate grievance upon which to base their demand that the community shall make good their losses even at the expense of the public health and well being.

PROGRESS IN MUNICIPAL CIVIL SERVICE: A REVIEW OF REPORTS OF THE PAST YEAR[1]

BY F. W. COKER
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GENERAL REPORTS AND STANDARD LAWS

THE functions of civil service commissions in recent years have greatly increased in scope and complexity. This has come about through the extension of the competitive system to a wider and higher range of positions and through the accumulation upon commissions of many new tasks in connection with classification and standardization, salary readjustment, efficiency records, promotions, removals, and training for public service. As a consequence, effective progress in the application of the merit principle now more than ever requires critical study of the practices of civil service administration, authoritative statement of the essentials of the merit system, and comprehensive revision of the legal provisions governing the various subjects now included in that system.

Two recent reports on civil service practice, with criticisms and constructive recommendations, have been published. The second report of

[1] See NATIONAL MUNICIPAL REVIEW, vol. iv, p. 574.

the New York senate committee on civil service was transmitted to the legislature in January.[2] This report completes the recommendations on standardization in the state service (to the study of which the first report published last year was devoted) and presents the results of its examination of the administration of the present civil service laws, proposing changes in the laws and practices relating to internal distribution of the commission's work, its methods of examination, the system of promotion, standardization of the judicial and local service, and the relation between the state commission and municipal commissions. The joint committee of the New Jersey legislature, appointed in 1916 to inquire into the operation, enforcement and effect of the civil service laws in the central and local service of that state, reported this year.[3] The committee investigated many instances of alleged violations by state and local authorities, and complaints of undue political influences. The report makes recommendations for the revision of the law in various particulars.

Two drafts for a model civil service law have been recently published, one, the work of a committee of the National Assembly of Civil Service Commissions created in 1913. After many conferences among themselves and with committees of the National Civil Service Reform League, National Municipal League, and Chicago Civil Service League, and after several tentative reports, the final report was submitted to the 1916 meeting.[4] Discussion at this meeting[5] was confined to the provisions concerning appointment of commissions and removals, to be considered later in this article. The assembly adopted the report of the committee, with the proviso that alternative provisions should by inserted covering the points of contention.[6]

Work on a model law has been continued by a committee of the National Civil Service Reform League, whose representatives had taken an important part in the undertaking from the beginning.[7] Its new draft,[8]

[2] Second report of the committee on civil service of the senate of the state of New York.

[3] Report of the New Jersey state civil service investigating committee.

[4] Draft of a standard civil service law embodying the principles of a practical merit system of public employment; 1916.

[5] Proceedings of the ninth meeting of the National Assembly of Civil Service Commissions, Ottawa, Canada, June, 1916, pp. 80–113.

[6] These provisions were to be prepared by a special committee (composed of Dr. Moskowitz of the New York city commission, Mr. Curtiss of the Massachusetts commission, and Mr. Ordway, then president of the New York state commission) and to be reported to the committee on standard law. Nothing apparently has been done by this special committee. Mr. Ordway has since resigned from the New York commission, having been made supreme court judge.

[7] Mr. Doyle, secretary of the National Assembly, writes: "The whole subject of the standard law has been regarded as relegated to the National Civil Service Reform League as the appropriate body for pressing such law upon public attention."

[8] Draft of a civic service law, prepared by a committee of the National Civil Service Reform League.

published this year, is closely similar to the above mentioned standard law, and contains alternative provisions governing the selection of state and local commissions.[9]

EXAMINATION AND CERTIFICATION

No problem of civil service administration presents greater difficulties than that of the examination. Dr. Moskowitz has aptly said that "civil service progress from now on means principally the development of the art of examination."[10] Study and discussion of examining methods are concerned primarily with three problems: the content of the written examination, the procedure for testing experience, and the extent to which the oral interview is necessary and consistent with the competitive system. The various efforts to improve the quality of the written examination are along familiar lines, increasing attention to the preliminary study of the duties of the position to be filled; greater care to secure as special examiners the most expert in their respective fields;[11] explicit directions to framers of questions to include only questions which have a clear and definite utility in discovering the fitness of candidates for the position to be filled, with less regard for memory tests and irrelevant information;[12] weighing questions not according to their difficulty but according to the degree to which they contribute to the determination of a candidate's fitness.

The proper rating of experience presents a peculiarly troublesome problem. The tendency is to abandon arbitrary or mathematical markings and to give broad leeway to the examiners in setting their standards, allowing them in each examination to adopt whatever key seems most practicable for the valuation of the different factors that appear in the experience reports of the competitors. Examiners may even be allowed to depart from their own key. Fixed ratings for different lengths of

[9] The more useful recent annual reports of civil service commissions are the following: Third annual report of the bureau of civil service of St. Paul; Thirty-third annual report of the civil service commission of Massachusetts, for the year ending September 30, 1916; Thirty-third annual report of the municipal civil service commission of New York city; Third annual report of the Los Angeles county civil service commission and bureau of efficiency for the year ending June 30, 1916; Fourth annual report of the civil service commission of Minneapolis; Fourth annual report of the state civil service commission of Ohio; Sixth annual report of the civil service board and superintendent of employment of the West Chicago park commissioners; Annual report of the municipal civil service board of Portland, Ore., for 1915 and 1916. The reports are for the year 1916 except where otherwise indicated. Titles of reports on special topics are given in subsequent footnotes at appropriate places.

[10] *Good Government*, May, 1917, p. 29.

[11] See the list of names and vocations of special examiners in the reports of Los Angeles county, Minneapolis, St. Paul, and Massachusetts; see also the Report of the New York city civil service commission, pp. 11–12.

[12] See the instructions to examiners in report of St. Paul bureau of civil service, p. 11; see also Second report of New York senate commission on civil service, p. 94.

experience, for example, may be very misleading; so that the examiners should be permitted in their discretion to rate five years of experience in one concern higher than a similar period with a more important concern. Moreover, where great weight is given to mere length of service the effect may be to give an undue advantage to older men because of their longer experience, even where, as in many of the lower grade positions, younger men are in general to be preferred. As a further improvement it is proposed that examiners be directed to assign tentative ratings according to length of service and then revise these ratings on the basis of information obtained from employers as to the quality of work rendered by the applicants during the years of service upon which they have reported.[13]

There is considerable divergence of opinion as to the importance and propriety of the oral examination. For example, at one extreme the Portland, Ore., commission reports that "oral examinations have been added to every examination and have proven to be of inestimable value. Many undesirable applicants have been rejected through the application of this test who otherwise might have secured a passing grade"; and the civil service commission of Ohio states that "an oral interview . . . for the purpose of forming an opinion as to the candidate's general personal qualifications, is used in connection with practically all of our examinations." On the other hand, the St. Paul commission instructs its examiners that "an oral examination should be required only when it is desirable to rate the applicant's personality, or when it must be used to determine skill or ability not ascertainable by written examination, or as in examinations for skilled labor positions, where competitors find it very difficult to express themselves better in writing than orally"; and the Massachusetts commission reports that "Massachusetts has not yet adopted the scheme except to a very limited degree."

Conflicting opinions of representatives of the Massachusetts and New York city commissions on the desirability of the oral examination exemplify the arguments for and against this kind of test. Representatives of the former contend that it is both unsafe and unnecessary. It is unsafe, they say, because where the anonymity of the examinees is destroyed, prejudice, conscious or unconscious, on the part of the examiners is frequently unavoidable; at any rate, it is impossible to avoid popular suspicion of such prejudice; and public confidence in the fairness of the examining procedure is a prime requisite for the successful operation of the competitive system. It is unnecessary, they contend, because with a carefully written examination and a thorough investigation of experience statements, all important qualities of the applicants can be adequately

[13] See Proceedings of the National Association of Civil Service Commissions, pp. 144–145, 150–151; Second report of New York senate commission on civil service, p. 37; Report of Ohio civil service commission, pp. 10–11; Report of state civil service commission of Massachusetts, pp. 14–15; Report of Minneapolis civil service commission, p. 13.

tested; and among the three persons certified, one can always be found with the personal attributes desired.[14]

The opposing position is that qualities of personality, such as mental alertness, an effective presence and bearing, tact and "ability to talk well" —indispensable qualities for certain positions—can be appraised only by an oral interview. Moreover, Dr. Moskowitz points out that the dangers of favoritism, or of the popular suspicion of such, can be avoided by the selecting as oral examiners experts of prestige in their vocation and of reputation in the community for integrity, and by the employment of several such examiners rather than one so that the final rating cannot represent the bias of one man. Moreover, where all precautions to be fair have been taken there cannot be many occasions to fear popular accusations of unfairness. However, Mr. Murray, chief examiner of the New York city commission, states that the oral examination is used in relatively few positions in his service and that relatively low weight is given to it in the final rating.[15]

The lists of examinations held, appended to the reports of many commissions, show the steady extension of the competitive system to positions of higher importance and salary. A brief report on competitive examinations for higher offices, prepared by a joint committee of the National Municipal League and the National Civil Service Reform League, has recently been published.[16] The report is a general statement of the importance and practicability of bringing under the competitive system all the higher administrative officials whose functions are to carry out, not to create or formulate, the policies of the government of a city.[17]

[14] See the remarks of Dr. Reilly, chief examiner, and of Mr. Curtiss, member of the Massachusetts civil service commission, in the 1916 Proceedings of the National Assembly, pp. 148–152.

[15] For the remarks by Mr. Murray and Dr. Moskowitz, see Proceedings of the National Assembly, pp. 145–146 and 153–154.

The reports of civil service commissions indicate the increasing use of practical tests in the examinations for certain positions where it is feasible to try out applicants in the use of the tools of their trade or in the particular work that they will be required to do in the positions for which they are applying. Here also, however, fear is sometimes expressed that, since in the observation of practical tests anonymity is removed and opinions formed under conditions that can seldom be made as precise as in written tests, the difficulties of forming fair and conclusive judgments are increased by this method of testing. The St. Paul bureau says: "Practical questions of the right sort have been shown in many cases to be more desirable and more effective than practical tests, and in addition have the advantage of eliminating the possibility of personal influence which might be present in rating a practical test."

[16] Competitive examinations for higher offices. Published by the National Civil Service Reform League, 1916.

[17] See the article by J. A. McIlhenny on "The Merit System and Higher Offices" in *American Political Science Review*, August, 1917. For a summary of the extent to which employes of city libraries are under civil service classification, see a brief article by W. D. Johnston, of the St. Paul Library, in the *Bulletin of the American Library Association*, May, 1917.

The tendency in civil service progress is to extend the safeguards of the merit principle downward as well as upward. The reports of the Minneapolis and Los Angeles county commissions contain useful statements upon their experiences with the registration of common laborers. The report of the New York city commission gives a valuable account of its examinations for positions in a non-competitive class including many places of a minor nature, in city institutions or elsewhere, which cannot be well filled either through competition or through registration.

Both of the recent model laws provide for the certification of the one person standing highest upon the eligible list, in the case both of promotional appointments and of appointments from original examination, and for the selection forthwith of the person so certified for the prescribed probationary period. The St. Paul bureau recommends that the city charter be so amended as to provide for certification in such manner. It says on this point: "The certification of three names causes an unnecessary annoyance and hindrance to appointing officers because of the influence frequently exerted by the respective backers of each of these three candidates. The certification of the highest name on the list will mean certainty in the appointment, will attract better candidates for the city service, and will increase public confidence in the justness of the civil service system. Commissioners have complained that the certification of three names is unfair because it often results in unjust criticism of themselves by the two eligibles who are not appointed. . . . It seems certain that a change in the law providing for the certification of one name only will meet with the approval of city officials as well as the public in general."

THE BOSTON CONTROVERSY

There has recently occurred among men prominent in civil service reform in Boston an interesting discussion upon the well-known provisions of the Boston charter governing appointment of heads of departments. The mayor sends his nomination to the state civil service commission and unless that body certifies within thirty days that the nominee is a recognized expert or that he is qualified by education, training, or experience for the position for which the appointment is made, the appointment is void. To many friends of the merit principle this method has been unfavorably regarded since the beginning of its operation in 1910, because it lacks the cardinal feature of appointment on the basis of an open competitive examination. The commission is under the practical necessity of confirming the mayor's selection, even though the person may obviously be not so well fitted as many other equally available persons, unless they discover, through information supplied by outside parties or through investigations conducted by themselves, that the mayor's certification as to the nominee's competency is without basis in

fact. Under such a procedure many mediocre selections succeed in passing the commission's veto. Members of the commission have generally disrelished this duty. Charles Warren, chairman of the commission at the time the duty was imposed upon that body, said in his report to the legislature that the work had proven extremely difficult of performance and had absorbed a disproportionate share of the commission's time.

Harvey N. Shepard, at present a member of the commission, said recently in a signed statement in a newspaper that either the mayor's appointments should be made as a result of open competitive examination under the auspices of the commission or they should be taken entirely out of the jurisdiction of the state commission. He argued that since the issue in any instance is not the relative qualification of different candidates compared by tests prescribed in advance, but the competence of a particular person whose identity is known both to the commission and to the public before consideration of his competence is begun, the system is not only wholly inadequate as a means of securing the best available man for the position, but the action of the commission is beset with difficulties even in passing upon the competence of the particular nominee. In the beginning, when interest was fresh, many communications concerning the appointees came from outside individuals; but many of such communications exhibited exaggerated personal feeling for or against the persons nominated; and during the last few years few communications of any kind have been received. Moreover, when the commission rejects the mayor's appointment, such action is likely to bring the commission under suspicion of having acted under the influence of personal bias or political pressure. Mr. Shepard points out that though before 1909 reappointments when terms of members of this commission expired were made as a matter of course, since that time this has not been the case; and whenever a member's term has expired "the consideration urged is not his performance of the regular duties of administration, but what has been his attitude toward the Boston appointments."

The present controversy seems to have originated in criticisms against the civil service commission, made by Mr. R. J. Bottomly, secretary of the Boston good government association, in an address before the Springfield meeting of the National Municipal League in November, 1916,[18] and subsequently restated in a letter to the commission. Mr. Bottomly's complaint is that bad appointments by the present mayor of Boston have been due not so much to defects of the law as to failure of the commission to exercise properly its duties under the law. He maintains that the commission in recent years has acted under the assumption that its duties are simply to pass upon complaints that happen to be made against the mayor's appointments, and that if complaints are not made or if

[18] National Municipal Review, March, 1917, pp. 225–226.

complaints made are found upon hearing to be insufficient, that its duty is to confirm the appointment. Mr. Bottomly's conclusion is that the failure of the commission to reject any appointments of the present mayor, together with opposition expressed by its members, both in reports and in public addresses, constitute reasons why they should resign.

On the other hand, Richard H. Dana, president of the National Civil Service Reform League, and Edward H. Chandler, secretary of the twentieth century club, agree with Mr. Shepard's position that the chief weakness lies in the method provided in the Boston charter. Mr. Dana points out that Mr. Bottomly's assumption that the commission in Mr. Warren's time had made original investigations in each case, is not true, and that the commission at that time neglected proposals made by civil service reformers for the adoption of regulations by which the commission would conduct investigations by methods employed in non-assembled tests for high grade positions. He points out further that before Mr. Bottomly's letter the present commission had already adopted a new rule which should meet in part the objections to the present system. That rule provides that a written statement filed by the mayor's nominee shall be submitted to "two or three persons qualified and experienced in lines of work similar to those which the nominee could be expected to perform." In conclusion, it should be said that Mr. Bottomly is in agreement with the other three men that the present system should be supplanted by the competitive method for the mayor's appointments.[19]

PROMOTIONS

It is now universally regarded that for offices in certain lines where higher and lower positions are interrelated in such way that experience in the latter provides appropriate training for the work of the former, vacancies should be filled as far as practicable through promotions. The promotional method not only has as its objects the rewarding, as a matter of justice, and the stimulation, as a measure of efficiency, of faithful and diligent service; it is also under proper conditions the most successful method for obtaining the best fitted persons. The model laws contain this provision: "The commission shall hold promotion examinations for each superior grade of service whenever there is an inferior grade in the same class the duties of which directly tend to fit the incumbents thereof for the performance of the duties of the superior grade."

The promotional examination includes generally not only the examination proper but also comparative ratings of efficiency in service and seniority in service. The practices of commissions in such ratings disclose many points of possible error and injustice. In the first place, in order

[19] For further criticism on the Boston method, see *Engineering News*, January 11, 1917, and National Municipal Review, March, 1917, p. 280.

that promotions may be made in a uniform and consistent manner a logical and thorough classification and grading of positions is indispensable; in practice, promotions are conferred in irregular ways and competition limited by unduly restricting the field from which the promotions may be made. In the second place, for ratings on efficiency the examiners are frequently dependent upon unsystematized and uncontrolled records kept by heads of departments; this obviously gives the head of department too great an influence in determining the results of the examination. The New York senate report says: "If any system is to be built up in which promotions are to be based on merit and fitness and weight is to be given to efficient service in the grade from which promotion is made, it is necessary to have a uniform system of efficiency records supervised and controlled by the commission."[20]

Finally, the proper weights which should be given to efficiency and seniority, particularly to the latter, present difficult problems in respect to which considerable divergence in practice obtains. The standard law of the National Assembly provides that "in promotion examinations efficiency and seniority in service . . . combined shall not carry a total number of marks to exceed one fourth of the maximum marks attainable in such examination."[21]

REMOVALS

An issue of long standing is that of the proper safeguarding of removals, an issue having its origin in the difficulty of reconciling the need for definite location of responsibility in an administrative head with the need for the assurance to the subordinate of a permanency of tenure dependent solely upon the faithfulness and competence of his service. Discipline and administrative responsibility cannot exist without the removal power; on the other hand, the merit system is substantially weakened if unjustified removals can be made. Many different methods of removals are found in the various civil service laws: (1) absolute power of removal may be possessed by the appointing authority, without right on the part of the person removed to appeal to the civil service commission; (2) power of removal may be possessed by the removal authority, with right of the removed to appeal to the commission which has power to reinstate if it considers the grounds of the removal insufficient; (3) power of removal may be possessed by the appointing authority, with right of the removed to demand written charges and a public hearing, but without

[20] Second report of New York senate committee on civil service, p. 45.

[21] *Ibid.*, p. 44. The committee on advancement in the public service, of which Dr. Joseph J. Reilly is chairman, presented a report at the tenth annual meeting of the National Assembly of Civil Service Commissions, held in Boston in June of this year. It is a valuable discussion of the requisites for an adequate and uniform plan of promotion and of certain difficulties in application. The report will be published as part of the proceedings of the tenth annual meeting.

power of the commission to reinstate or do anything more than make recommendations which are not binding; (4) power of removal may be denied to the appointing authority altogether and vested exclusively in the civil service commission.

Under the first form the civil service commission has no power in removals; under the second form it has power to secure reinstatement; under the third form it has power to hold hearings and make recommendations which have no legally binding force but which the commission may make public; under the fourth the commission has exclusive power of removal. Obviously there may be modifications or combinations of these different methods. The fourth plan is the one which has existed in the Chicago and Illinois services for some years and is the form proposed by the standard law of the National Assembly. The latter proposal provides that written charges against a person holding office in the classified service may be filed by any superior officer or by any citizen or taxpayer, that a hearing on the charges shall be held by the commission or some officer or board appointed by the commission, and that the finding made by the commission, or made by such officer or board and approved by the commission, shall be final.

In defense of the proposal just mentioned the committee which framed the standard law argues that the same standards of merit and fitness which govern entrance into the service should be controlling also for removal. It points out also that in large business organizations this principle applies, employment and removal of officials being kept distinct from the management of the business in such way that the supervising officers do not attempt to deal with questions of personnel; this latter function is the special task of a superintendent of employment who, acting alone, or in conjunction with a grievance committee, makes all removals. Moreover, the committee declares that the object of the provision which it advocates is not so much to prevent unjustifiable removals as to facilitate removals which the interests of the service may demand; it asserts that under this system there may be, in the absence of a change in the party in power, far more removals of inefficient persons than where the power of removal is left in the hands of appointing officers. Finally the committee points out that it does not intend that the commission in acting upon removals should act in the mood and under the procedure of a court protecting the technical rights of the incumbent; on the contrary, it intends that the commission, bearing chief responsibility for efficient administration in all branches of the civil service, shall be disposed to act with the promptness and energy of an administrative head.[22] The Chicago, Illinois, New Jersey, and New York civil service reform associations have approved the plan of removal embodied in the standard law.

[22] Draft of a standard civil service law, preliminary statement of merit principles, pp. 5–6.

Despite the prestige which the proposal just outlined enjoys, the opposing idea—that effective administrative control and responsibility require that the directing officer shall have exclusive power of removal over his subordinates, limited only by requirements of publicity—still has wide and strong support. Under this view the responsible officer's interest in the success of his department affords the most reliable security for the retention of the fit and the elimination of the unfit among his subordinates, and publicity for removals and competition for appointments to vacancies provide adequate safeguards against arbitrary removals.[23]

The model law of the National Civil Service Reform League contains provisions for removal identical with those of the standard law of National Assembly, with, however, the addition of an alternative paragraph giving also to the appointing officer power to dismiss his subordinates and requiring of the appointing officer in such case only that he give to the latter notice of the charges and opportunity to make written answer, the charges and the answer to be filed in the commission's office and be open to public inspection; and the commission to have power of reinstatement of persons so removed only in cases where it decides upon proper hearing that the removal was made for political or religious reasons. Under this arrangement concurrent powers of removal would be possessed by the appointing officers and the commission.[24]

STANDARDIZATION; EFFICIENCY RECORDS[25]

Standardization and efficiency recording, though intimately interrelaten with all the functions of civil service commissions, constitute in themselves such specialized fields and comprehend problems of such detailed content, that only summary mention can here be made of developments and reports in these lines.

The work of salary and functional standardization makes steady progress both in study and in practice, and in the introduction and perfecting of comprehensive schemes as well as in the adoption of partial applications. Standardization of the clerical service has been completed by the civil service bureau of St. Paul; a complete classification and standardization of the entire city service has been adopted by the Cleve-

[23] This view is succinctly expressed in Herman G. James' recent work on *Municipal Functions*, p. 38: "Such safeguards as arise from a requirement of written charges and a public hearing, if desired by the individual affected, are as far as it is wise to go in putting any sort of checks on the removal power of the responsible head. It should not be overlooked that, with a properly administered system of appointment examinations, the temptation to make political removals is practically overcome, as a vacancy thus created could not be filled in accordance with the desires of the removing officer anyway."

[24] Both the model laws contain provisions empowering superior officers to suspend their subordinates without pay pending hearing and decision, with power in the commission to investigate and in case of disapproval to restore pay.

[25] See NATIONAL MUNICIPAL REVIEW, vol. v, pp. 266 and 582.

land civil service commission, who employed experts of the New York bureau of municipal research for the work; a new general salary ordinance prepared by the Los Angeles county bureau of efficiency, covering compensation and employment of some four thousand positions, has been in successful operation since the beginning of 1916; a complete classification in the service under the West Chicago park commission was put into effect in June, 1916. Progress and preparation for classification is indicated in reports from Minneapolis, Houston, Portland, Ore., and Seattle;[26] revision of classification is under way in New York city.[27]

The New York bureau of municipal research issued in August, 1916, its second comprehensive report in this field, under the title "Standardization of Public Employments, Part II: The Practical Side of Standardization in American Governments."[28] At the request of the Milwaukee citizens' bureau of municipal efficiency, J. L. Jacobs of Chicago made a study of the salary standardization plan prepared by the city hall bureau of municipal research (now no longer in existence). The report of Mr. Jacobs' study, which appeared in October, 1916, is published under a title which indicates its scope: "Review of Movement for Standardization of Public Employments and Appraisal of the Proposed Salary Standardization Plan for the Milwaukee City Service, with Constructive Recommendations and Next Steps for Developing Effective Employment Administration in Milwaukee." The appraisal is mainly an adverse criticism in detail of the plan in question and of the methods by which it was evolved. The recommendations are comprehensive, extending beyond standardization. A further report prepared by Mr. Jacobs and covering standardization of the entire service of Milwaukee is soon to be issued.

The reports of St. Paul, New York city, Los Angeles county and West Chicago park commissioners show revision and extension of efficiency records in the services of those communities. The committee on efficiency records and readings and their use, of the National Assembly of Civil Service Commissions, has issued its "First Report of the Committee on Efficiency Record Systems."[29] This report is confined to a record, in

[26] The report of the civil service classification committee of Seattle is printed in the Seattle *Municipal News*, May 12, 1917.

[27] For further recommendations on classifications, see Second report of New York senate committee on civil service, pp. 50–63, and Report of New Jersey civil service investigating committee, pp. 17–20.

The most notable achievement in classification in state service has perhaps been in Ohio where the scheme of classification and grading prepared by the state civil service commission, with the co-operation of the budget commissioner, was incorporated in the budget submitted by the governor to the 1917 session of the legislature. As the legislature passed the appropriation bill in the form submitted by the governor, the classification is now in force so far as salary appropriations for the current biennium are concerned.

[28] Number 76 of the bureau's series.

[29] Published June, 1916. Mr. Thomas C. Murray of New York is chairman of the committee.

the form of questions and answers, of the statements of experiences of persons who are operating or serving under efficiency systems in large business establishments or in the public service. A further report of this committee was made at the 1917 meeting of the assembly and will be printed in the proceedings of that meeting.

COMPOSITION OF THE COMMISSION

Many illustrations have been given of the expanding tasks of civil service commissions. The enlarged responsibilities make it increasingly important to have as members of the commissions men of proper training and experience and also of independence and good judgment. With emphasis on the expert character of a commission's work, proposals have been made that the merit principle should be fully applied to the tenure of commissioners. Discussions of proposals placed before recent meetings of the National Civil Service Reform League, the National Assembly of Civil Service Commissions and other bodies, for a competitive selection of members of civil service commissions, are too familiar to require more than brief reference here. The standard law of the National Assembly provides for a commission of three to be selected by competitive examination held by an examining board composed as follows: (1) a person who has served as member, secretary, or chief examiner of some civil service commission for two or more years; (2) an employment expert of two or more years' experience; (3) a person who has had two or more years' service as judge of a court of appellate jurisdiction. Under this system of selection when a vacancy occurs on the commission the appointing authority is required to appoint the person standing highest on the list of eligibles from an examination held by such an examining board.

The proposal for the competitive selection of civil service commissions evoked vigorous debate among the delegates at the National Assembly in 1916, and has been a subject of sharp differences of opinion before and since that time. The supporters of the proposal lay emphasis, in the first place, upon the necessity of keeping the commission entirely aloof from partisan associations and free from the influence of the very persons whose possible efforts to apply the spoils system it is their primary duty to nullify. In the second place, they point to the expert character of the commission's work, the chief business of such a body being to act as expert employment agents; a commission having no policy to represent or originate, should be the chief factor in building up and maintaining an expert administration to execute policies settled by other agencies. Finally, these advocates insist upon the entire practicability of the examining method for the selection of such persons, pointing to the many instances of officials successfully examined for positions of equal or higher powers and responsibilities.

The opponents of the proposal for a competitive method of selecting

civil service commissioners draw attention, in the first place, to the important place that the semi-judicial functions occupy in the work of a commission. Skill and discretion in hearings before themselves as well as in the conduct of cases, appealed from their decisions to the courts or instituted by themselves before the courts, count high in determining the fairness and precision with which the merit system is applied. Moreover, in many other circumstances a commission's essential task is to act effectively as a fair and tactful intermediary between different, often conflicting, interests, as, for example, between a superior officer and a subordinate seeking reinstatement. The qualities and experiences essential to the successful handling of such duties are not such, it is argued, as are discoverable by any sort of competitive test. Moreover, it is maintained that sufficient protection against partisan control over the commission can be secured by provision for overlapping terms, or for indefinite or long terms within which the commissioners are irremovable by any political executive.

As before indicated, the National Assembly accepted the standard law as submitted by the committee, with the proviso that alternative proposals, reflecting the divergent opinions concerning the selection of commissioners, be inserted. Such alternative provisions appear in the model law of the National Civil Service Reform League, and are as follows: (1) a single commissioner, appointed by competitive examination; or (2) a commission of three appointed by the executive authority without limitation, and holding overlapping terms; or (3) a commission of three, one to be appointed by the executive without limitation and two by competitive examination.[30]

CONCLUSION

It is difficult under normal conditions to look back over one year and estimate the gains and losses for the merit principle throughout the country. Moreover, at the present time, circumstances of American participation in the war affect in various ways the movements in civil service. The National Civil Service Reform League and other organizations in this field are centering attention upon questions arising from the war, with the object, in the first place, of showing how the merit system can prove its special value in the emergencies of the war, and, in the second place, for the purpose of thwarting efforts of antagonists of the system to use these emergencies as excuses and means for backward steps. Recent issues of *Good Government* draw attention to provisions of recent federal laws expressly exempting from competition positions in several newly created

[30] The provisions described above relate primarily to the state commission; but the same principles are meant to apply to municipal commissions. The model laws provide alternative provisions with respect to composition of the latter and their relation to the state commission, and also with respect to direct administration of civil service in cities by the state commission.

bureaus. Some reverses in the state service are attributed in part to the preoccupation of the public and the press with international affairs. Such, for example, is the explanation offered for the passage of a recent law in Illinois, adding fifty or more positions to the exempt class and giving power of removal to executive heads; and the civil service reform association of Connecticut has failed in its efforts to secure the enactment of a law removing objectionable features of the civil service act of 1915.[31]

On the other hand, there are clear evidences of continued progress. The legislature of Wisconsin has passed a law creating a civil service commission for Milwaukee county.[32] Measures recently submitted by initiative petition to weaken or destroy the merit system have been defeated by the voters in San Francisco, St. Paul, and Kalamazoo.[33] Reports from unprejudiced observers in Cleveland and Chicago and some other cities where serious attacks have been made upon the system, indicate that the mayors and other executive heads in such cities have at least withdrawn into a more negative attitude in the matter. Nowhere is there any indication that the system is in permanent danger in any city where a public opinion on the subject has been developed, especially where, as in Chicago and in Cleveland, there are live organizations through which such opinion can clearly express itself.

It is peculiarly difficult in short space to attempt an appraisal of the value of tendencies seen in recent changes or proposals for change in the methods of civil service. One leading tendency needs especial study and discussion, because it is fundamental and far-reaching in its implications. This is the tendency to increasing rigidity and all-inclusiveness in the application of the limitations upon appointment and removal. Our review has revealed not only the extension of the competitive test to constantly higher expert positions, but also an apparently growing opinion in favor of the competitive selection of civil service commissioners, the certification by the commission of only one eligible to the appointing authority, and the withdrawal of all independent power of removal from political executives. There can hardly be any valid objection to the selection of higher experts by judiciously administered competition; but the other three proposals just mentioned present questions of some uncertainty. The three last mentioned proposals indicate not primarily a recognition of the necessity of preventing the possibility of a complete subversion of the system by an exceptionally partisan or unintelligent executive; it can be shown that the more customary and less narrowly restrictive safeguards are adequate for such a purpose.

[31] *Good Government*, July, 1917, pp. 48–9.

[32] *Ibid.*, June and July issues. For plans of the National Civil Service Reform League to work through constitutional conventions scheduled to meet during the next two years, by co-operation with delegates who favor insertion of civil service clauses in the constitutions, see the June issue of this periodical.

[33] National Municipal Review, May, 1917, p. 389.

Nor, where adopted, will the chief service of such proposals be (as in the case of the extension of examinations to higher expert positions) to aid executives who from their own impulses desire to appoint and retain in the offices under them men of proved fitness. The three proposals seem to imply a lack of confidence in publicity and responsibility as effective auxiliaries in preventing long continued or frequent abuses in appointments and removals; and their effect, where in force, will inevitably be in many instances to weaken the usefulness of highly qualified and ambitious executives by too closely limiting their responsibility and discretion in choosing and supervising their chief assistants.

Most of the charges that the customary devices of the merit system tend to cultivate routine, inflexibility and mediocrity in administration, are obviously made with partisan motives or from uninformed notions. It is important that leading advocates of the system should not develop its methods into such rigidity or extremes as to give valid ground for such criticisms or as to evoke similar apprehensions in the mind of intelligent supporters. Even in city government, it may be of as much importance to give a reasonable degree of freedom to a capable executive, possessing originality and foresight, as to restrict an incapable one.

RECENT PROGRESS IN BUDGET MAKING AND ACCOUNTING[1]

BY C. E. RIGHTOR
Dayton, Ohio

EVERYWHERE is the cry for the adoption by our cities and states of a scientific budget. The necessity for this course is also being urged upon the federal government and upon towns and counties. The budget is being accepted as the only possible expression of a well organized financial plan in conducting the business affairs of government, and the widespread movement looking toward its adoption is the most significant change in public affairs in recent times.

The reason for the advances in this respect by various governmental units is due primarily to the greater participation of the American business man in public affairs. The popular demand is for a greater variety and amount of service from the government with no increase in cost, while the public official is finding it increasingly difficult to perform more extensive activities because of insufficient revenues. Men of affairs when called upon to suggest a solution for the dilemma, find that the first need is for the introduction in public affairs of business methods. This means a centralization of authority, establishment of a well-defined plan of

[1] See NATIONAL MUNICIPAL REVIEW, vol. v, pp. 403 and 631.

financing with adequate control, and modern procedure in obtaining these things.

Special studies of public finance undertaken by a variety of bodies have been influential in producing these results. Their recommendations have nearly invariably been the same, and the chief progress has been the result of their adoption by public officials.

Among the private agencies permanently established during recent months to investigate conditions, suggest improvements and assist in their adoption by the government, were several research bureaus, including those at Washington, Detroit, San Francisco, Haverhill, Yonkers, Petersburg, Va., and Winnipeg. The reports of these and other already established bureaus,[2] show the beneficial effects they have had and are wielding in improving governmental processes, through co-operation with officials in public office.

Reports of the nine bureaus included in the volume noted lay emphasis upon finance, accounting, reporting and budget making as subjects demanding their first attention and serving as a basis for efficiency in administration. From this beginning, their work has expanded to include every phase of governmental activity.

NEED FOR A NATIONAL BUDGET

The effect of these bureaus, however, is primarily local, where they serve as the go-between for busy but interested citizens and their government. The institute for governmental research, in Washington, has had no visible effect in national matters as yet, though the need is imperative;[3] indeed was never greater than at the present time. The institute has been active in promoting interest in a national budget. The requirements of all departments are growing by leaps and bounds. There seems to be no limit to the amounts of money needed to finance and execute our policies in war time. A plank promising reform was included in the platforms of the Democratic, Republican and Progressive parties. Owing to other matters overshadowing it thus far, slow progress has been made in fulfilling platform promises. Results now depend largely upon the disposition of Senator Kenyon's resolution (S. J. Res. 46), introduced a few months ago, proposing the adoption of a complete budget procedure. This is one matter that will continue to be urged by students of public finance and publicists as the only sensible, economical and most democratic system of handling public money.

STATE BUDGETS AND ACCOUNTING

Probably the most extensive interest looking toward the adoption of a budget has been shown by state governments. Out of the 48 states,

[2] "Citizen Agencies for Research in Government," *Municipal Research*, no. 77; New York bureau of municipal research, September, 1916.

[3] *Public Service*, nos. 27, 58, etc., institute for public service, New York, 1916–1917.

the legislatures of two-thirds of them were in session during 1917, and in nearly all cases the subject of a budget was given attention for the reasons which are operating in the cities.

Several states have followed a comprehensive budget plan for years in determining upon their activities and the means of financing them, and in most of these no material changes were noted, as in Massachusetts, California, Wisconsin and Ohio. In the last named state the governor went before a joint session of the senators and assemblymen and personally explained his budget recommendations to the legislators, in order that they might be properly governed in their actions upon each item.

Literature relative to the New York state budget has been plentiful since 1907, yet progress has not always been positive, as is indicated in reviewing the actions of the legislature upon it. The question most recently requiring determination was whether an "executive" budget or a "legislative" budget should be adopted. The latter was accepted. Ohio and Wisconsin have had practical budget laws for the past few years, the former providing for a permanent budget commissioner and the latter a public affairs bureau, to analyse and make public facts about the budget. The laws of all three of these states have many features worthy of study and emulation by states aspiring to a scientific budget system. A valuable dissertation on state budgets, supporting the "executive" budget, is contained in "The Elements of State Budget Making."[4] Certain it is that a state budget, no less than a municipal budget, to prove popular must afford opportunity to the public to know and analyse its contents before its passage.

Preliminary studies have been requested by the legislatures in a number of states, the results of which were invariably a report in favor of establishing a sound financial program and procedure. In several states, laws have been passed as a result. One of these—that of Maryland—has received extended consideration by able writers in recent numbers of the National Municipal Review, and it is unnecessary to discuss the law here.[5] New Jersey's new law provides that the governor may call upon state officers and name assistants to aid him in carrying out the act.[6]

One of the most thoroughgoing state surveys of the administration of financial affairs was that made in Colorado.[7] The work included every department and office except that of the attorney-general. Recommendation was made for a budget to be prepared and submitted by the governor, and for a permanent budget commission. A central account-

[4] New York bureau of municipal research, December, 1916.

[5] See National Municipal Review, vol. vi, p. 395.

[6] See National Municipal Review, vol. vi, p. 579.

[7] Summary of findings and recommendations relating to the executive branch of the state; committee on state affairs, December, 1916.

ing system and classification of expenditures for all the business of the state was recommended, to be established by the auditor, who is empowered to examine all records. Many minor provisions were included to make the proposed budget procedure effective, but the bill was lost in the finance committee.

Virginia also appointed a commission on economy and efficiency to make a survey of the state and local governments, and a budget law is being prepared. Unfortunately, an appropriation of only $1,000 was made for the study. If it is to be done properly, the enquiry will of course cost more and its results will be commensurate with the expense incurred. Even government must divorce itself from private charity in setting its own house in order. Michigan passed a law providing for an improvement of budget methods, and appropriated a sufficient amount to enable a special committee to study budget practices in other states.

A further reference to state budgets is that of Illinois. In a radical reconstruction of its administration, whereby a large number of offices, boards and commissions were consolidated into nine main departments, the task of preparing the state budget was placed with the department of finance. The budget will be based on estimates from departments and institutions, and be revised by the director of finance and be submitted by him to the governor; who will submit it with his recommendations to the legislature. The department of finance thus serves as a budget commission, in addition to its other accounting, purchasing and investigative duties.

NEW BUDGET STEPS IN CITIES

While many cities are pursuing modern methods in voting their annual appropriations, yet comparatively the practice is still unusual. Each year sees the acceptance of a recognized budget plan by more of them. With but one or two exceptions, the segregated or itemized budget has been the only one used. The past year, however, witnessed several notable departures from the customary itemization, and in Philadelphia and Detroit the newly established budget procedure is in accord with one of the modifications suggested in "Next Steps in Budget Procedure"[8] providing for an allotment plan in appropriating for the year's needs. Material advances were made in both of these cities. In Philadelphia the committee on charter revision[9] recommended a requirement for the annual submission to councils of a co-ordinated budget, to be prepared by the mayor, who is made the responsible executive. The act adopted a pay-as-you-go policy of raising sufficient revenues to meet all expenses for the year. The surplus of one year may not be used to offset the deficit of a later year, whereas a deficit in any year becomes a first lien

[8] New York bureau of municipal research, January, 1915.

[9] Report of the sub-committee on plans, committee on revision of charter, December, 1916.

on the revenues of the succeeding year. Public meetings are stipulated. The rate of taxation must be fixed to provide an amount of estimated revenue which, when added to revenue from all other sources, will produce at least sufficient revenues for the total of the budget, which includes all expenditures, including capital outlays. Appropriations are made by departments, thus leaving with the departmental heads the responsibility for spending money for all "other than personal services." This also materially reduces the number of appropriation accounts which are required. Other minor provisions as accepted by councils are also of interest in obtaining a thoroughly sound budget procedure.[10]

Detroit, through the efforts of the bureau of governmental research in co-operation with the city controller, prepared a modern budget for 1917–1918.[11] Appropriations are here made for each activity separately, in order that the relative importance of each may be measured and services be increased or decreased. As in Philadelphia, the head of each department will be given a sum of money and be permitted to get the best possible results. The procedure is a great improvement over the unintelligible facts presented in previous years, and its value has already been proved in the substantial reductions which the board of estimates was able to make notwithstanding increased costs of labor and materials, and in the population and area of the city. The installation was made possible by the abolition of the old, large board of estimates and the substitution of a board consisting of the mayor, controller, corporation counsel, city clerk, and treasurer. A uniform classification of accounts, based upon character of the goods, was also introduced. Transfers between appropriations and funds were largely eliminated.

The operation of departmental and activity plan of appropriations will be watched with interest by those cities which have grown accustomed to the segregated plan. With the expressed necessity for the executive budget, and quarterly allotments to department heads for conducting their activities, this is the plan most recently recommended by the New York bureau of municipal research. It is outlined in detail in the Jamestown, N. Y., and Columbus surveys.

As a result of a city survey by the New York bureau, San Francisco adopted a revised budget procedure. The report, incidentally, pointed out that savings of nearly a million dollars a year were possible under improved conditions. To put into effect the findings, a bureau of governmental research was established in January, 1917. An executive budget was recommended, departments making their estimates according to a new uniform classification of accounts. With the view that lump-sum estimates cover up leaks, segregated estimates were required, and a

[10] *Citizens' Business*, no. 230, *et seq.;* Philadelphia bureau of municipal research, February, 1917.

[11] *The Public's Business*, no. 3, Detroit bureau of governmental research, June, 1917.

scientific appropriation bill drawn.[12] It was decided to follow the examples of New York, Chicago, Springfield, Mass., and other cities in this respect,—and it is probably safer until more data are available as a basis for lump-sum requests. Boston, having adopted a segregated form of budget, after a year's trial decided to continue this same method for 1917–1918.[13]

Winnipeg, Manitoba, was urged by its citizens' league[14] to modify its procedure to increase effective control by the civic administration and afford a clearer guidance to officials and citizens. Earlier preparation and public hearings were recommended. A novel departure in preparing its budgets is the proposed separation of expenditures directly controllable by the city council from those that are uncontrollable. Under "uncontrollable" are items of debt charges, parks board, school board, etc.

Substantial savings were effected in Yonkers through the close analysis of the budget by the Yonkers bureau which was established in September, 1916.[15] Economies of 40 per cent in four bureaus were cited as possible, together with substantial savings in interest and administrative functions like laying of water mains, etc. A valuable table of comparative statistics for six cities about the size of Yonkers is included in this report, and recommendations are made for a standard classification of expenditures and provision for publicity.

LOS ANGELES' EXPERIENCE

If proof be desired that the public is interested in the budget figures, Los Angeles furnishes an excellent example. That city has a provision in its charter for a detailed budget procedure, to be prepared by departmental officers, to be submitted to council by the auditor, and after adoption by resolution by the council to be presented to the mayor for his approval. No provision for publicity is made. Because the total appropriation is raised by taxes, less the amount from licenses and other sources of revenue, and because last year the finance committee behind closed doors voted a large increase in taxes, citizen agencies are demanding inspection of the budget prior to action upon it by the mayor. An executive budget has been proposed by the municipal league.[16] Several organizations have brought such pressure upon the mayor that he has finally agreed to publicity for the 1917–1918 budget, before returning it to the council with his approval or veto. Last year through the recommendations of the efficiency commission savings of $150,000 were made

[12] *The City*, nos. 1 and 2, San Francisco bureau of governmental research, February, 1917.

[13] Finance commission, vol. xii, pp. 89–98; 1917.

[14] Bird's-eye View of City's Budget, Bulletin no. 2, citizens' league of Winnipeg, February, 1917.

[15] What Will the 1917 Budget Be? April, 1917.

[16] *Municipal League Bulletin*, February 28, 1917.

in one department alone, and it is hoped again this year to force a sacrifice of politics to scientific and representative city government. The Springfield, Mass., budget is an unusually complete document, of value to any city contemplating a segregated budget.[17] The document shows in detail both requests and recommendations according to a new standard plan adopted last year. In addition, certain departments submitted work programs founded upon information obtained from expense ledgers maintained by the departments. Toronto also enjoys a very complete procedure, and the analysis by the bureau of municipal research[18] may be considered of even more value than a textbook on the subject for cities and students. It contains analytical tables and graphs, and separate schedules for each public service enterprise. Recommendations are made for expediting the procedure and for public hearings on the budget.

Under the guidance of able city managers, Jackson and Grand Rapids, Mich., and San José, Cal., have adopted modern budgets. The two former are segregated budgets, and the classification of expenditures adopted is by nature of the object purchased, rather than its usage. The city manager of San José followed the procedure established by the new charter adopted July 1, 1916. One item of note in this document, having a total of $341,000, is that of $18,000 set up as a "reserve for contingencies." The policy of establishing such a reserve, even though it be a surplus, is questionable because of demands by department heads when they are aware of this balance. Certainly it would be unjustifiable in the larger cities of Ohio, where a long established—and thoroughly antiquated—tax law precludes these cities from obtaining even the necessary revenues for financing services popularly demanded.

NEW YORK CITY'S BUDGET ANALYSIS

Because of its great population and wealth, the range of its activities and refinement of its records, New York city undoubtedly serves as the best prototype for American cities. No other city in the country has arranged to secure so much clear information about its budget and expenditures. The 1917 budget of $211,000,000 has been exhaustively analysed, both by Comptroller Prendergast[19] and Dr. F. A. Cleveland.[20] including a comparative study for the past fifteen years. These discussions are accompanied by numerous tables and enable any citizen to follow through the discussion and place responsibility for increases in allowances. The latter paper includes five charts of merit.

Objection is made in Dr. Cleveland's analysis to the present procedure in that no one executive, elected by the people, can be held responsible for

[17] Budget for 1917, reprinted by Springfield bureau of municipal research.

[18] Analysis of Toronto's Budget, bureau of municipal research, November, 1916.

[19] "Extension of Municipal Activities and its Effect on Municipal Expenditures," W. A. Prendergast, February, 1917.

[20] *Real Estate Record and Guide*, November–December, 1916.

expenditures, the document being merely an appropriation ordinance. Recommendations are offered to make the budget a complete fiscal plan for the year, to be prepared with accurate facts to support it, and to follow a regular calendar from its preparation by departments to its passage by the aldermanic body. It would first of all place responsibility on the mayor for the entire financial plan for the year. A number of interesting conclusions are presented,—for instance, the fact that actual appropriations do not keep pace with the normal annual increase in the community's demands. This analysis is presented in more detail in the New York bureau's report.[21]

ADVANCES IN ACCOUNTING PRACTICES

Numerous other cities made further improvements in an already well developed budgetary procedure, as Akron, Springfield, Dayton, etc. Such progress has been due to local initiative in most instances, prompted by an awakened and interested citizen body, though frequently the entire credit is due to the unusual ability of public officials. An instance is the distinct contribution to the field of practical municipal accounting found in the Manual of Accounting, issued early this year by Controller John M. Walton of Philadelphia. Review of this text was made in the National Municipal Review [22] for July, so it will be unnecessary at this time to discuss the merits and value of such a volume. Progress through actual application of its own principles and methods is its story.

In most of the cities already enumerated as pointing the way in accepted budgetary methods, corresponding improvements in record keeping for purposes of making the budget plan effective may be recited. While modern and scientific accounting is striven for, it must be remembered that it is merely means rather than an end, the aim desired being the availability of facts about public business. The opportunities are legion, according to those working for their adoption, of introducing methods which will furnish new and valuable statistics or result in lowered costs and better control.

The annual reports of several bureaus of municipal research—Akron, Rochester, Toronto, Milwaukee, Detroit, Minneapolis, Dayton—show that through co-operation with those in public office progress is being made. It is recognized that activity is not always progress, but results of activity are the gauge. Akron completed the installation of a modern accounting system during 1916, based upon the practice in several Ohio cities which still operate under the general state code and are, therefore, subject to supervision by a state bureau of accounting. This is one of a small handful of cities in the country able to compile a complete financial

[21] Some Results and Limitations of Central Financial Control, *Municipal Research*, January, 1917.

[22] See National Municipal Review, vol. vi, p. 541.

statement, including a balance sheet, revenue and expense statement, records of city property and equipment, accurate and scientific sinking fund records, and other data comparable to those obtained by up-to-date private business.

Centralized accounting, providing for the co-ordination of all accounting and auditing in one department, is a primary requisite of a sound municipal accounting system. This is accomplished in many cities, Akron, Oakland, Milwaukee and Toronto having fallen in line recently. In Akron this includes the central collection of revenues.

Another improvement in Akron is the adoption of mechanical methods in keeping all possible records, through the introduction of special tabulating machines, typewriter forms, etc. Akron's step constitutes a valuable contribution to governmental accounting practice. Toronto also has introduced the use of accounting machines for work in some of its departments and Milwaukee is contemplating the use of tabulating machines for cost accounting purposes.

Expense ledgers, to afford a basis for budget requests, have been introduced in Springfield, Oakland, and Akron departments, and are under way in Dayton, Detroit and other cities, to furnish the compilation of unit costs in connection with every operation or function which may be so measured. Numerous other features promoting central financial control and effective administration, as centralized payrolls, centralized purchasing, unit cost records, monthly departmental reports, uniform classifications of receipts and expenditures, established fund accounting, and maintenance of subsidiary ledgers and records, are all too many to attempt individual mention.

The placing of Oakland in the front ranks of cities enjoying complete financial systems rests not upon a governmental or research agency, but upon a firm of public accountants, employed by the city and every indication is that their task was thoroughly done.[23] Thus far, though public accountants are manifesting a greater interest than ever before in obtaining government installations and audits, there has not come to light another instance of such intelligent and comprehensive handling. A real danger to the movement for better government exists when incompetents undertake to improve conditions, but succeed only in dampening the spirits of public officials.

UNIFORM CLASSIFICATIONS OF ACCOUNTS

A study of cities first adopting a budgetary procedure discloses the unfortunate absence of any central clearing house to suggest uniformity in classifications and definitions. Each city casts about for a satisfactory classification in use elsewhere or attempts a home-grown one. The resulting diversity does not affect any one city as much as those cities which

[23] "Practical Municipal Accounting," Klink, Bean & Co., San Francisco, 1916.

come after and are seeking a generally accepted standard, as well as those desiring to avail themselves of comparative statistics. The classifications of accounts outlined by the President's commission on economy and efficiency and the United States bureau of the census are generally accepted standards, although local requirements result in minor modifications. One of the most carefully prepared and thoroughly tried out classifications is that of objects of expenditure used by Rochester. It is based upon the economy and efficiency commission's proposals, while experience of over a year has enabled it to be strengthened as necessary for adoption by a city. The volume is in two parts,—the classification itself and the index. It is felt that the classification itself would prove wholly impractical without the index, and that even now it may be necessary to popularize the nomenclature of certain classifications—as supplies—before it will prove really workable.[24]

Another classification meeting with satisfaction in actual operation is that in use in Dayton, St. Augustine and Jackson, and which has just been adopted by Detroit and Grand Rapids. In both of these classifications the nature of the object is the determining factor in classification, and they differ materially from the old classifications in which usage of the object is the basis.

PUBLICITY OF ACCOUNTING RECORDS

A study of the reports of city auditors through a period of years usually shows but little improvement in the nature or value of their contents. It does reveal great possibilities for furnishing more pertinent, complete and prompt information to administrative officials and the public.

However, among the great number of auditors' reports found in circulation each year, a few valuable ones are worthy of special mention, because they reveal the kind of bookkeeping records maintained to make them possible. The report of the auditor of Springfield, Mass., for 1916 may well be cited as another instance of a municipal report thoroughly modern and complete, and which would be a credit to the vast majority of our cities to-day. Oakland's report is also an indication of the practical accounting system installed, and Oklahoma City is also thoroughly complete and informing. A high standard is established in each of these reports.

Of special interest to administrators are such analytical reports as are currently prepared by the New York bureau of municipal investigation and statistics, on various phases of the city's activities,—as health, parks, corrections, bridges, condition of sinking funds, etc. All cities must some day depend upon unit costs to measure each service rendered,

[24] "Classification of Objects of Expenditure," E. S. Osborne, controller, Rochester, N. Y., May, 1916.

just as New York is preparing them now. Is it not of value, for instance, to know that in the New York children's hospital[25] the average cost per bed for 1,729 patients was $275 in 1915, and that this was $25.75 more than in 1914? And to know the items of supplies caused the increase?

As stated by the president of the National Municipal League at the 1916 convention, pension funds are being given much attention by local governments to-day. This phase of financing was studied in Akron, Toronto, New York city and elsewhere. Of even more importance from a point of view of sound municipal finance are sinking fund accounts. Owing to a law passed in Ohio in 1913, the cities of that state are required to establish a sinking fund for bond issues, and as a result investigations were made in several of them to allocate to each bond issue its exact mathematical sinking fund for the current year and every year until the debt matures. A need was felt for such studies in Ottawa[26] and Toronto,[27] and the valuable reports after thorough investigations in both cities disclosed the security of their funds. However, one recommendation was the approval of the issue of debentures on the instalment rather than the sinking fund principle, because it "does away with the necessity of erecting and administering the sinking fund, and is unquestionably a much cheaper and less cumbersome method of financing." This is a universal conclusion of investigators, though sinking funds continue with us.

Another principle of sound financing which is receiving increased attention is that of the pay-as-you-go policy, adopted in New York in 1914. This plan was adopted as a result of an examination of the city's records by the bankers, and the disclosure of existing conditions. By this policy nonproductive improvements are paid for out of taxation, and increased costs result for the first few years, but an immense saving is made ultimately. It is interesting to note that schools, police stations, fire houses, etc., are now being paid for out of current revenues. Philadelphia is the latest city to introduce the principle in compiling its annual budget.

An emphatic note of warning to the cities of the United States is contained in all recent Canadian reports, reiterating the conclusion that it is absolutely imperative that the policy recently adopted shall be strictly adhered to, viz.: that under no circumstances whatever, except for absolute necessities, shall new capital undertakings be launched for a considerable period—not at least until the assessment and population of the cities have substantially increased.

[25] Report on department of public charities, May, 1917.

[26] "Study of a City's (Ottawa) Sinking Fund," by T. Bradshaw, finance commissioner of Toronto, 1917.

[27] "Report on Funded Debt and Sinking Fund of Toronto." T. Bradshaw, commissioner of finance, May, 1917.

STATE SUPERVISION OF LOCAL FINANCES

Not all progress in accounting and financing methods in cities is due to the cities themselves and to private citizens. State legislatures have never attained a greater interest in local financial systems than in recent months. From New Hampshire[28] and New Jersey[29] to California many states have given full consideration to the growing problem in towns and cities of providing new services and improvements without raising sufficient revenue to pay for them.

The results of the New Hampshire and New Jersey reports have been noted in the July issue of the NATIONAL MUNICIPAL REVIEW,[30] and discussion of these thoroughly constructive reports is therefore omitted. In Maine towns, the prevailing procedure was studied,[31] and a complete statement of the essential steps in budget-making was found necessary for their guidance.

Iowa[32] and Minnesota[33] also found—as have all states making a detailed investigation—that very few of the local units have ever introduced an acceptable budget procedure or financial control. The results of the Iowa survey are stated in the July NATIONAL MUNICIPAL REVIEW.[34] The unsatisfactory conditions found in Minnesota were stated to apply also to the cities and towns of the state. It was pointed out that there is not even a law compelling the establishment of a scientific sinking fund except in first class cities.

North Carolina and Nebraska are among the states which passed at the last session of the legislature a bill providing for a uniform system of accounting in cities, and the former also provides for restrictions in taxation and contracting of debts.

The lack of control by cities generally over incurrence of liabilities and check on expenditures, as is found in these many investigations, is proven by the recent report of the U. S. bureau of the census, which finds that of 213 cities over 30,000 in population, 149 exceed their revenues in expenditures, including capital outlay and debt requirements.

Several states (New York, Ohio, Pennsylvania and Iowa) have established permanent bureaus to compile general financial statistics of cities and towns and to have supervision over their methods of accounting and record keeping. The reports of these bureaus are illuminating, and their efforts are proving salutary. One of these reports deserving special mention is the Ohio one,[35] which contains a valuable lot of information in

[28] "Budget-Making for New Hampshire Towns," by E. C. Mabie, Concord, 1917.
[29] Report of the committee for survey of municipal financing, N. J., 1916.
[30] See NATIONAL MUNICIPAL REVIEW, vol. iv, pp. 534 and 563.
[31] "Budget-Making for Maine Towns," by O. C. Hormell, Bowdoin College, 1916.
[32] Municipal Accounting, University of Iowa, Bulletin no. 22, October, 1916.
[33] "Minnesota Municipalities," Minnesota league of municipalities, June, 1917.
[34] See NATIONAL MUNICIPAL REVIEW, vol. iv, p. 543.
[35] "Ohio Comparative Statistics for 1914," auditor of state, 1916.

clear and compact form, made more readily intelligible through graphs of the statistics presented. It is unfortunate that such reports are not available to the public within a few months after the close of the year.

COUNTY BUDGETS

Finally, a mention of budgets in the "dark continent of American politics," the county. Next in importance to the agitation for consolidation of county and city governments, is that seeking improvement in the financial affairs of counties. The laws relative to the procedure to be followed by the county board of supervisors are found in New York to be ambiguous and incomplete, and remedial legislation is much needed.[36] With this done, and ample provision made for the state to supervise accounting methods, a gradual solution through the reorganization of county government is suggested.

County government in California is held responsible for much of the increased expenditure of to-day, due to its duplication and overlapping of offices and functions of the city.[37] To correct the condition a federation of the two is urged, together with the adoption of the corporation form of management for public offices. The efficiency league of Cuyahoga county (Cleveland) introduced a bill into the last session of the Ohio general assembly seeking to combine the local governments in four counties of Ohio, and presented extended arguments proving possible economies and more effective business principles in administration. However, the law was not passed.

In Minneapolis, the city and county recently completed the installation of the allocated system of budget, similar to that installed at Rochester. Milwaukee county adopted for the first time a segregated budget amounting to $3,741,000, prepared under the direction of the county auditor in accordance with a new law providing for the budget. In Philadelphia, in the advanced steps earlier cited as having been effected, the entire budget procedure was prepared with consideration of the fact that the city and county of Philadelphia are one and the same, thus simplifying the problem of financing and control.

This review does not purport to be exhaustive, because of both the limitations of space and maze of material available. It is apparent that a movement is started, and is gaining momentum, to apply every business principle to governmental finances. The trend is irresistible; every state and every city must profit by the lesson and bring its own system into line.

[36] "Better County Government," pp. 74–87; second annual conference, New York state, December, 1916.

[37] Alameda county tax association, Bulletin no. 25, February, 1917.

NOTES AND EVENTS

I. GOVERNMENT AND ADMINISTRATION

Cincinnati's Charter Commission.—In the campaign for the election of charter commissioners there were two tickets in the field, which may be roughly described as liberals and conservatives. The conservatives were not so-called politicians, and both political parties were represented; but it was obvious that the dominant Republican organization was influential in its personnel and would have influence upon it. It won easily.

In the drafting of charters, under the Ohio constitution, there are two general phases of the subject of city government to be considered and determined, namely the powers of local self-government which the city will decide to take over, and secondly, the organization of the city government, including such questions as form of ballot, departmental organization, terms of office, and the like. The winning ticket of commissioners had announced no platform, but immediately upon their election they adopted and announced the principle that, as they understood the public opinion of Cincinnati, they were to get home-rule powers for the city of Cincinnati, but were to make exceedingly few and exceedingly conservative changes in the organization of the government. This was, of course, an ultra-conservative program, disappointing to many students of city government and active civic and social workers, and recognizably in harmony with the desires of the dominant political organization. Consequently the commission gave short shrift to any proposals for a non-partisan ballot or change in the nomination or election system, which is a system of partisan primary, or any change in the form of organization of council, which is a large ward council with the addition of a few members elected at large, or any change in the present rather cumbersome departmental organization, or any departure from the federal system. Short-ballot principles were to some extent recognized by making the city treasurer and city solicitor appointive, the city auditor and, of course, the mayor and council were retained as elective officers. The terms of mayor and councilmen were increased from two to four years. All of the present so-called independent boards, park board, health board, rapid-transit board, etc., were retained and their terms of office enlarged. The most important constructive change in the organization of the city government was the creation of an official city-planning commission, with extensive powers. All in all the changes in the present form of municipal organization were exceedingly few, but in general an old-fashioned type of federal form of partisan nomination and election and of large council were retained. The efforts of the social workers to get a department of public welfare, separate from the safety department, proved unavailing.

In this matter of organization, the commission was comparatively peaceful and unanimous. It was in the other phase of the subject, namely the question of adoption of home-rule powers, that a rather intense division of opinion developed and the commission divided into two parties, namely conservatives and super-conservatives. The issue involved was, where the residuary powers, that is the powers not expressly mentioned or granted in state laws or the charter itself, should repose. The conservatives desired to place these powers in the city council, that is, give the city council power to exercise all those powers of local self-government which do not happen to be mentioned in the state municipal code. The super-conservatives, although claiming to believe in home rule, expressed so great a distrust of council that they did not propose to give council any power to exercise func-

tions or adopt methods other than those specifically laid down in the municipal code. As the object of the home-rule clause of the constitution in adopting a charter was to get away from the limitations of the municipal code, it will be obvious that this position of the super-conservatives would seem to be a surrender of the home rule which the city is proposing to obtain by means of a charter. Of course, it must be admitted that the charter would give home-rule powers to the electorate of the city. But, considering the slowness and complexity of procedure by referendum, the point of view of these super-conservatives would mean failure to obtain that substantial freedom of the city to exercise powers of local self-government which was the very object of writing a charter.

The battle waxed fast and furious, and thereupon an attorney of the city, prominent in the practice of the law if not in civic affairs, submitted what was called a compromise proposition, on which all of the commissioners could join. The advantage of his suggestion was that it was phrased in such mystical language that any commissioner could vote for it without feeling that he was voting for the principles of his opponents. Whether from exhaustion or conviction, this opportunity to escape from the unpleasant situation was seized upon by almost all of the commissioners, and the mystical clause was adopted. There seems to be complete doubt in the minds of lawyers and others as to what the clause means. My own interpretation is that it fastens the present statutory municipal code down upon the city of Cincinnati, both as a limitation of the powers of the city and a limitation of the methods according to which these powers may be exercised, in such a way that neither the state legislature nor the city council can escape from any of the limitations of this municipal code, and only the electorate of the city has the power of adopting either new city powers or new methods.

The proposed charter will be an exceedingly short document. I have summarized everything that will be in it, except the creation of a street railroad commissioner who will exercise the city's supervisory powers over the transportation system. Subjects like franchises, public utility regulation, budgetary procedure, etc., are not mentioned. Those who have followed the literature of municipal reform and modern principles of charters will of course be keenly disappointed that the charter commission did not see fit to incorporate more of the recognized modern principles of good municipal government. They felt, however, that the power of the Republican organization and conservative opinion in Cincinnati were such, that any charter which made any radical changes would be defeated at the polls. This charter, like any other charter that might be adopted, gives the people the power of amendment, that is, the adoption of a charter puts it in the power of the electorate to amend that charter, and the question that will be before the people of the city in the election on this charter will be whether this power of amendment is not so well worth while having, that the wisest course is to adopt the charter submitted by the commission.

Our correspondent added this to the above:

"In regard to the charter, I want to supplement a little what I wrote you. I described to you the issue between what I call conservatives and super-conservatives as to where the residuary or unmentioned powers of local self-government should reside. Members of the conservative branch, that is those who were arguing for the larger grant of power to council, corresponded to those members who, in the opinion of the public and of the super-conservatives, were following the desires of the Republican organization, while the super-conservatives were the Democrats of the commission and those freer from the influence of the Republican organization. It was supposed the Republican organization, controlling council as it does, desired to control these larger powers through its control of council. The super-conservatives argued that council is habitually of a low caliber, and therefore no more powers than necessary

should be granted to it. In other words, the super-conservatives were following the famous distrust principle of municipal powers."

✱

A Longer Ballot for Oregon Cities.[1]—Short ballot advocates may well throw up their hands in horror at the length of the ballot that will inevitably result from the adoption of a constitutional amendment in Oregon at the last June election. This amendment referred to the people by the legislature provides that all city, county and state elections must be held at the same time. There is to be a general primary election in June followed by the general election in November of the even years. This repeals all home rule city charter provisions as to the time of holding elections.

Very little discussion of the measure occurred in the campaign. A legislative committee drafted a very attractive argument which was published in the voter's pamphlet issued by the secretary of state. This showed very clearly the saving in expense from consolidating elections. No argument opposing the change appeared in the voter's pamphlet and no organized group opposed it. The Portland newspapers practically ignored it except to declare against it in their advisory ballots. It was the one case in which the newspaper advisory ballots were reversed by a large majority and it was the big surprise of the election returns. The total vote on the amendment, 38 per cent of the registration and 85 per cent of the ballots cast, was comparatively light. It would seem as if the electorate of the state as a whole did not understand the significance of the measure. The majority for the state at large and in Portland was about two to one.

The effect on the Portland ballot can be readily predicted. In 1920 when the city voters choose by the preferential system from the long list usually nominated by petition two commissioners and an auditor, they will also have to choose men for 44 other offices, state, county and national, including the choice of a president, a United States Senator and member of the house. This year there were 18 city measures for the voter's decision and an average number of state initiative and referendum measures is between twenty and thirty. The ballot task, then, at the November election of even years will be to make a decision on about forty or fifty measures and to choose between 140 or 150 candidates for office. In the competition for attention it is probable that city issues will be subordinated to state and national policies and, perhaps, politics. It is a ray of consolation that it may be through such extremes as have been saddled on the voters by this law that the short ballot will be made possible in state as well as city and national ballots.

R. D. Leigh.[2]

[1] See National Municipal Review, vol. vi, p. 624.

✱

Albuquerque's City Manager Charter.—As a result of the efforts of a charter league, a bill was passed by the legislature of New Mexico giving Albuquerque an opportunity to draft its own charter. The commission was duly appointed and reported a city manager charter which was vigorously opposed by certain influential elements. In the words of a correspondent:

First of all, I believe that both the Democratic and Republican party ringleaders regarded the city government as a sort of political football which more or less has an influence in carrying county elections. However, in addition to the politicians, there were some well-meaning but ignorant persons who considered the manager plan as too centralized and in the nature of "one man government." Aside from political and ignorant influences, there were a number of attorneys who made technical objections to the charter on the ground that under the enabling act, known as chapter 86 of the session laws of 1917, the powers of the commission would be unlimited. My opinion is that under the charter as adopted, there will be a change in the form of government, but the corporate powers will remain as governed by the state statutes.

It might interest you to know that the vote cast on the charter was only about 1,000, whereas the normal city election runs in the neighborhood of 2,000 votes.

[2] Reed College, Portland, Ore.

The majority secured for the charter was 156. We noted a remarkable lessening of influence by the old political bosses through the adoption of the Australian or secret ballot. The old method was for party workers to hand out ballots near the polls, but now that we have an official ballot, conditions will be much improved.

We are now in the market for a first class city manager, and I believe that if we elect the three commissioners with great care, we will have a first class municipal government.

✱

Petersburg, Virginia, was added to the list of city-manager cities on August 7, when more than 65 per cent of the qualified voters of the city went to the polls and voted to replace the present cumbersome and inefficient bicameral mayor-council form of government with an efficient modern government to be organized under the city-manager plan as permitted by the Virginia optional charter act of March 20, 1916. Out of a total of 1,887 votes cast in the special charter election, 1,561 or 83 per cent were for the adoption of the city-manager plan.

Under the provisions of the Virginia optional charter act, however, the first election for members of the council under the city-manager plan in Petersburg cannot be held until the regular election for municipal officers in June, 1920—the new government taking effect on September 1, 1920.

In view of the extraordinary conditions existing at Petersburg as a result of the tremendous increase in the city's population caused by the development of the mammoth munitions industry at Hopewell and the location here of Camp Lee, the largest of the national army cantonments, an effort will be made to secure authority from the legislature for the new government to go into effect on September 1, 1918, the election of the new council to be held next June. Whether this authority can be secured or not is problematical.

LeRoy Hodges.

✱

Norfolk's Proposed City Manager Charter.—For a number of years a strenuous effort has been made by a few devoted spirits to secure a new charter for Norfolk. The last effort described in these columns by Lieutenant Shaw failed through a curious fluke. Practically everyone who voted, voted in favor of the new charter, but the total number of those voting being less than the percentage prescribed by the existing laws of Virginia, the effort failed. Now a new charter providing for a city manager and based on the model city charter of the National Municipal League will be voted for on November 7, with what appears to be excellent prospects of success. The charter was drafted by a commission of which Tazewell Taylor was chairman.

✱

Newark, New Jersey, by an overwhelming vote (19,069 to 6,053) has decided to adopt the commission form of government provided by the Walsh act. This was the result of an active campaign which has extended over a number of months and had the support of leading organizations like the Newark board of trade. The population of Newark is 399,000, making it one of the largest cities in the country to be operated under a commission form of government.

✱

Altoona, Pennsylvania, Commission-Manager Campaign.—Four of the candidates for city commissioner in Altoona are pledged to accept a salary of $500 instead of the maximum now being paid of $2,500, so as to employ a first class municipal expert as city manager. The action is made possible by a provision in the third class city commission law of Pennsylvania inserted for the purpose of preparing the way for the commission-manager form of government.

✱

Home Rule in Chicago.—Home rule in public utility matters has again been denied Chicago by the Illinois legislature, which adjourned without taking action on the bill introduced early in the session giving Chicago the sole control of its utilities, apparently taken from it and lodged in the state public service commission by

a decision of the Illinois supreme court handed down in the early spring.

At the 1915 special session of the legislature a committee of the house was appointed to investigate and report on the problem of the control and development of public utilities in Illinois. This committee made a thorough investigation and presented a report containing a recommendation voicing the majority opinion that legislation should be enacted granting home rule to Chicago in these matters. The commission based its recommendation on the following facts:

1. The public utility business in Chicago comprises a large proportion of the total public utility business of the state.

2. The utilities which Chicago seeks power to regulate are entirely or primarily within the corporation limits of the city and therefore objects of local regulation.

3. There is an almost total concentration of control of public utilities of Chicago under one financial management acting through interlocking directories, and to cope with this situation concentrated public opinion is necessary among the people having direct vital interests in the subject.

4. The necessity of eliminating the present conflict of jurisdiction between the city and the state over service regulations.

The committee suggested two alternative schemes for exercising home rule for Chicago.

(1) Control through a commission appointed by the mayor.

(2) Control by the city council through the medium of a commission appointed by the council.

The legislative committee apparently leaned toward the second plan, on the theory that it accords with the city's governmental practices and traditions and that such a large addition to civic responsibility will attract into the council service men of greater strength and indulgence, thus indirectly strengthening the general administration of the city affairs.

Following out this theory the committee submitted a bill to the legislature, embodying the principle of home rule with council control.

It is asserted that the decision of the court will, in practice, have little effect upon the past methods of control of the surface street railway lines in Chicago so far as the jurisdiction of the board of supervising engineers is concerned. This body will retain its control of construction. The questions of rate determination, service regulation and capitalization, which are the fundamentals to which the commission will direct its attention, do not come within the powers of the board of supervising engineers. The control of service, which has hitherto been exercised by the city council under the authority vested in it by the 1907 ordinances, will now pass to the state commission. Some Chicago people see in this new plan of control opportunity for a possible increase in fare, something that would be manifestly impossible under a system of control by the city council.

STILES P. JONES.

The Chicago Enabling Bills.—All the enabling bills proposed by the Chicago traction and subway commission in connection with the program for unification of the surface and elevated systems in the interests of future comprehensive development of the city's transportation facilities failed of passage in the Illinois legislature. The measures passed the senate easily but did not reach a record vote in the house. There was no opportunity afforded to consider the bills on their merits.

This result is intensely disappointing to many interests in Chicago who saw in the plan presented by the commission the most practical remedy for the present unsatisfactory transportation conditions in that city. On the other hand, the result brings joy to the element which sees no satisfactory settlement short of municipalization of the properties.

It is not at all clear what will be the next step. The first impression is that the issue is now dead as far as any far-reaching plan is concerned until the

next session of the legislature, two years hence. Of course the elevated and surface companies might agree between themselves to some form of temporary operating agreement looking to improved conditions, but this is not probable, and it would mean so little that it would not arouse any great degree of popular interest. It is permissible under the existing law for the city council to grant the companies a twenty-year franchise without recourse to a referendum, although such action would violate the traditions of the 1907 ordinances which were adopted on a referendum. The more probable course will be to endure present evils for two years longer and then make another attempt to secure the enabling legislation necessary to a thoroughgoing program of transportation betterment. In the meantime the municipal ownership element in the city council has introduced an order requiring the transportation committee to provide for an investigation of the possibilities of municipalization.

S. P. J.

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Tag Days in Chicago.—The city council has passed a rule not to permit the collection of funds for charity upon the city streets in the manner commonly called "tag days," except twice annually, such tag days to be at least five months apart. One of these days shall be for the sole benefit of children's charities and shall be under the auspices of the Chicago children's benefit league. The other shall be for the benefit of adult charities and shall be granted to a federation of charities organized along the lines of the children's benefit league. In each case the list of beneficiaries must be submitted to the committee on finance.

II. POLITICS [1]

Removal of Governor Ferguson of Texas by Impeachment.—On Saturday, September 22, the senate of the state of Texas, sitting as a high court of impeachment, voted by more than the required two-thirds majority to sustain ten out of twenty-one articles of impeachment preferred against the governor by the house of representatives. On Tuesday, September 25, the senate pronounced judgment against the governor, removing him from office and disqualifying him from again holding any office of honor, trust or profit under the state. Thus closed one of the most remarkable and significant dramas in the history of any American commonwealth.

It is impossible within a brief compass to trace the history of this interesting episode, or even to give a fairly complete summary of all the more important factors involved therein. But a few of the outstanding facts are of sufficient significance and general interest to merit special attention.

Of the ten articles of impeachment which the senate voted by a two-thirds majority to sustain, seven dealt with the misapplication of state funds and the violation of the state banking laws to the benefit of the governor, and the refusal of the governor to state where certain funds received by him came from. The acts complained of in these charges were manifest violations of the law and would seem to have constituted a perfectly clear case for instituting and carrying out impeachment proceedings. They would, therefore, be of no particular interest in this case except for the fact they were substantially the same charges which had been brought against the governor in the house in March of this year, and, though proved, had been voted by the house not to constitute grounds for impeachment proceedings. This fact is of significance as throwing light on the importance of the other three articles of impeachment on which the governor was found guilty, which dealt with the actions of the governor in relation to the University of Texas.

The most significant fact about the

[1] Unless otherwise indicated, the items in this department are prepared by Clinton Rogers Woodruff.

whole impeachment proceedings and the trial and verdict must, undoubtedly, be sought in their relation to the attempt of the governor to "run or ruin" not to say "run and ruin" the state university. Many interesting facts might be brought out in connection with the beginnings of the fight by the governor upon the university, did space permit. The best way to give them in a nut shell is to state the substance of the three articles of impeachment dealing with the governor's acts in connection with the university on which the senate found the governor guilty. These three articles, alone, be it remembered, or any one of them, having been sustained, would have been sufficient to convict and remove the governor from office. Specifically, they charged the governor with using improper influence upon the board of regents of the university to compel them to carry out his wishes with regard to the removal of certain members of the faculty whom he wished to have removed. This improper interference comprised bullying of various descriptions, demanding the resignations of members of the board, threats of removing them from office (neither of which things he had legal authority to do) and in one case remitting the forfeiture of a $5,000 bond as a reward for carrying out the governor's wishes.

Not only did these charges (and others connected with the governor's dealings with the university which did not receive the necessary two-thirds vote) when added to the earlier charges concerning the handling of state moneys and the violation of the banking laws induce the house to depart from their earlier action refusing to bring charges of impeachment, but the whole fight from start to finish was recognized throughout the state as being fundamentally based on the attempt of the governor to ruin the university by bringing it under his personal and political domination. The friends of the university so recognized it and took up the challenge in a firm, courageous, and effective way. The governor himself made that issue a clear cut one from the beginning of the impeachment proceedings, indeed even before they had been begun, until the closing speech made on September 22 in his own defense before the senate. In that last appeal he says: "And that brings us to the big question, the university. There is but one question in this whole controversy."

In view of all these facts, without going into any of the numerous other considerations that played a part in this spectacular proceeding, it is not too much to say that the removal of Jim Ferguson from the office of governor of the state of Texas signals a noteworthy victory of the cause of higher education over against the forces of ignorance, prejudice and corruption which attempted to subject the University of Texas to politics. In that light, its significance for higher education, not only in Texas, but also in all other states where similar situations might arise, cannot be overestimated.

H. G. J.

*

The Democratic Primary in Virginia, as in the southern states in general, determines the personnel of its elective officers. In consequence Virginians know that the next governor of the state, to take his seat on February 1, 1918, will be Westmoreland Davis of Loudon county, although the regular election does not occur until November 6. At the primary on August 7 there were three gubernatorial candidates: J. Taylor Ellyson, the lieutenant-governor; John Garland Pollard, the attorney-general; Westmoreland Davis, a business man.

Mr. Ellyson has been associated with the history of the Democratic party in the state for many years in a more intimate capacity probably than any other man. He has held many offices, and was national committeeman from his state and chairman of the state Democratic party up to the time when he determined to run for the office of governor. He had bowed to the ambitions of younger men in the party on various occasions, and at this time, so far as service and experience relate to these matters, had a claim on the party for recognition, especially in view of his advancing age.

Mr. Pollard was favorably known as a young member of the state constitutional convention of 1901–02, as an able student of the law, and as a faithful attorney-general, in harmony with the policies of the present governor and *persona grata* with him.

Mr. Davis is a man of great wealth, who having practiced law for a while in New York city, returned to Virginia, developed a magnificent estate, edited a farmer's paper, the *Southern Planter*, and assisted in securing legislation favorable to agricultural interests. Mr. Davis was further known as favorable to an advanced program of state administration, including the executive budget.

Interest was added to the campaign by the introduction of the prohibition issue. In 1914, a state referendum was taken, on this subject, resulting in an overwhelming dry victory. Mr. Ellyson, as lieutenant-governor, had cast the deciding vote in favor of the enabling act, authorizing the referendum. Mr. Pollard was known as unimpeachably dry, and he had given able assistance to the campaign of prohibition. Mr. Davis, however, had voted against prohibition in 1914, and refused to announce himself as favorable to a prohibition amendment to the constitution of the state, though he assured the public of his intention to enforce the law, if elected. To a number of temperance leaders, who had fought energetically for many years and who thought that the election of a man who had openly opposed prohibition, would be interpreted outside of the state as "backsliding" of Virginia sentiment, and who wished to put prohibition where it would be difficult to attack—in the state constitution—thought the election of Mr. Davis would be calamitous. On the other hand, to many, including a number of original "dry" men, prohibition was absolutely safe, whoever might be elected; the people of Virginia had spoken in no uncertain terms; there was no evidence of a desire to "backslide"; and prohibition was a dead issue. At the same time, said these gentlemen, Virginia was in need of progressive legislation and administration in other directions, and Davis was the man to undertake that job.

The leading temperance organ of the state, the *Richmond Virginian*, representing the views of Rev. Dr. James Cannon, Jr., the superintendent of the anti-saloon league, and a man of large political, as well as intellectual attainments, in its vigorous battle for the election of a dry man as against the so-called "wet" Davis, decided that the election of a dry man would be almost impossible, with a divided vote, and concluding that Mr. Ellyson was the stronger of the two dry candidates, urged all dry men to vote for him. This advice was not taken to any great extent by the voters. Resenting what they termed "Kaiserism" and "Cannonism," many voters are thought to have gone over to Davis at the last hour. At any rate Westmoreland Davis was chosen by a plurality of 12,000 votes.

The main factors entering into the election were:

1. The conviction on the part of the farmer, though that farmer might be dry, that Westmoreland Davis is his tried and true friend.

2. A determination on the part of a number of former "wets," that they would not support a "dry" candidate, no matter who he might be.

3. A conviction that Davis is a modern business man, with progressive, though not radical ideas, in harmony with the demands of the present economic era.

The one certain thing is that Virginia has not changed her sentiment on prohibition; the anti-saloon league and its leaders have not been overthrown, though probably they have been a little chastened.

It is the conviction of almost all the people that Virginia is permanently a dry state—much to her benefit.

D. K. Anderson.[1]

*

Philadelphia's Scandal.—The primary held in Philadelphia on September 19 developed a situation in the fifth ward of that city presenting a scandal of far-reaching proportions. For a number of

[1] Secretary, the civic association of Richmond, Va.

years the ward had been dominated by a leader affiliated with the McNichol faction of the Republican party. The present dominant Vare faction in the city, desiring to control the ward, laid its plans to that end and was able to secure the active support of the city administration. From the beginning of the campaign charges were made that the police were being used for illegal purposes, and that a state approaching anarchy existed. The situation culminated on election day with the importation of a group of gunmen from New York city to "rough house" the ward, the result of which was the beating up of the McNichol leader, James A. Carey, and an assistant district attorney who was with him at the time, and the murder of a policeman from another district who sprang to the assistance of the attacked men. Immediately following the election, which by the way was carried by the McNichol leader by a margin of 100 votes, an action was instituted against the mayor of the city, the lieutenant of police in charge of the district, the unsuccessful Vare candidate and [illegible] and subsequently a member of select council from another ward who was recognized as the chief Vare lieutenant in the city. A hearing lasting eight days resulted in the disclosure of the unlawful utilization of the police to dragoon the voters of the ward into the support of the Vare candidate. It also disclosed through the revelations of three witnesses, all Vare adherents who, having been caught by the detectives of District Attorney Rotan, offered to testify for the commonwealth, that a group of gunmen had been brought into the ward at the instance of the Vare leaders. As a result of the hearing all the defendants were held in varying amounts of bail for conspiracy to commit murder and conspiracy to violate the Sherry law which forbids the participation of city and official employes in politics). The Vares' reply to the charges is that the whole matter is a frame-up, to which one of the leading witnesses, himself a lawyer, said, "There is many a thief caught with the goods and the first possible defence and the most plausible that comes to his mind is that someone handed him the package to hold."

Subsequent to the main hearing, the Vare leader and a number of the policemen were arrested for ballot frauds including a charge of the theft of one of the ballot boxes, and were bound over to appear at court on these charges.

One hopeful result of the situation has been the nomination of a ticket of high character to oppose the regular Republican nominations (known as the "fifty-fifty" ticket because it was made up in equal proportions of members of the two factions). This new ticket consisting of Walter George Smith, president of the American Bar Association, as candidate for register of wills, William R. Nicholson, president of the Land Title and Trust Company for city treasurer, and Thomas F. Armstrong, a manufacturer, as candidate for the receiver of taxes, has the support of an independent party known as the Town Meeting party, and of the Penrose element of the Republican party, the senior senator of the state and the national committeeman of the Republican party from Pennsylvania having repudiated the regular Republican ticket on the ground that it was tainted by the conditions developed in the hearing of the defendants in the aforementioned suit.[1]

*

The Preferential Ballot in Houston has had two trials within the last few months and from a biased point of view has been eminently successful. In the last election, it put in the mayor's office, J. C. Hutcheson, who we think is the right man,—when took the single shot system, he would probably have been defeated. The friends of the defeated candidates regard the preferential ballot as an undeniable failure.

Our preferential ballot ordinance was drawn up after a careful study of all such ordinances in existence, with the aim, of

[1] It is difficult for anyone closely in touch with the affair to speak with restraint about a situation [illegible] at every corner. We are holding it [illegible] in a future issue a fuller statement when the proceedings have been determined.

course, of forcing a majority election on the first choice. It has never been successful in this.

J. J. Pastoriza, who had figured prominently in getting the preferential ballot ordinance passed, asked his constituents to cast single shot votes during his campaign for mayor this spring.

In the elections for mayor this spring, none of the candidates had a majority in first place,—but Mr. Pastoriza had a plurality. Counting second place votes, gave Mr. Pastoriza a majority.

Mr. Pastoriza's sudden death gave us a second mayoralty race in August. In this election, Mr. Settegast had a plurality of first place votes, Mr. Vann a plurality of second place votes; and Mr. Maddox a plurality of third place votes,—and Mr. Hutcheson was elected mayor on a plurality in third place.[1]

*

Birmingham, Alabama.—George B. Ward, after a long term of service as mayor of Birmingham, both under the old charter and the new commission charter, has been defeated for re-election. It would seem from reports received from that city this was due largely to the fact that he had devoted himself so closely to his executive duties that he had failed to build up a political organization that could be depended upon to help re-elect him, and in the second place to the injection of a great secret order known as the "T. A." into the campaign. A further fact was a sectional issue, the suburbs voting for his opponent and the old city for him. In round numbers the suburbs voted 3,000 for Dr. Barrett and 1,000 for Mr. Ward, and the old city voted 2,100 for Mr. Ward and 1,300 for Dr. Barrett. As the *Birmingham News* points out editorially, "Ever since the formation of Greater Birmingham, there has been a tendency for the component parts not to cohere."

*

Political Activity.—The Ohio state civil service commission refused to grant a leave of absence requested by a temporary employe to manage a wet campaign in one of the counties of the state. The commission felt that the management of either a wet or dry campaign by classified employes while possibly not calling directly under the definition of political activity, would in fact constitute political activity to such an extent that the commission could not properly grant leave of absence to engage in it.

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The Nashville Mayoralty Contest resulted in the election of William Gupton, a successful business man of high character, over former Mayor Hillary Howse, who was ousted in 1915 by the circuit court, which ouster was later affirmed by the supreme court of the state.

III. JUDICIAL DECISIONS

Judicial Powers.—In the case of *Ide* v. *State*,[2] a provision in the Sandusky charter continuing in force the general laws of the state conferring judicial functions upon mayors of cities, to be exercised by the president of the city commission, elected by the qualified voters, was held not to be in conflict with any provision of the Ohio constitution.

*

Subrogation.—A citizen committee got the plaintiffs, expert accountants, to go over the books of the city. A shortage was found and made good. The accountants sued the city for their services. They got judgment in the lower court but in *Michigan City* v. *Marwick*[3] the upper court reversed it on the ground that the accountants were not subrogated to the rights of the citizens who to protect themselves had a right to have the investigation made.

*

Vertical Support.—In *Scranton* v. *People's Coal Co.*,[4] a city's suit in equity to enjoin an owner from removing coal underlying a street, on the ground that it

[1] From a Houston correspondent.
[2] 116 N. E. 450.
[3] 116 N. E. 434.
[4] 100 A. 818.

would cause injury and deprivation of vertical support, where the court found that 50 per cent of the underlying coal could be removed without causing a subsidence and that its removal on adjacent property would not cause injury, the city's rights were properly protected by the refusal of the injunction and by retaining the bill to secure compliance with restrictions under which the court found the mining ought to be done.

✱

What Is an "Accident?"—In *Landers* v. *Muskegon*,[1] the Michigan supreme court decided that a city fireman who got wet at a fire, contracted pneumonia, and died, did not die from an "accident" within the meaning of the compensation act.

✱

Duty of City Attorney.—In *Hosford* v. *Platte*,[2] the South Dakota supreme court decided that where a city attorney revises the city ordinances without contract for pay, he is not entitled to extra compensation therefor, since such services are incident to the office. A dissenting judge felt that on a salary averaging about $15 per month, the city attorney already had enough to do.

✱

Franchises. — In *Memphis Electric Light, Heat and Power Co.* v. *Memphis*,[3] decided by the Missouri supreme court, the light company tried to enjoin the city from constructing a municipal light plant. It failed, even though by ordinance the company enjoyed a twenty years' franchise. The ordinance, however, provided that "it shall not be construed as being an exclusive franchise."

✱

Majority Vote.—Under a statute providing that no liquor license shall be granted except by a majority vote of all members of the council, made up of the mayor and aldermen, that the mayor shall not be counted when determining a majority and that he shall have no vote except in case of a tie, the supreme court of Wisconsin in *State* v. *McIntosh*,[4] held that a liquor license cannot be granted where two aldermen vote for it, two against it and the mayor for it.

✱

Zoning.—A city ordinance specifically forbade the establishment of several kinds of business on a certain part of a street. The relator here asked for a permit to build a private market. The city engineer refused it. The court in *State* v. *New Orleans*[5] held that the ordinance was invalid, based on æsthetic considerations not falling within the police power of the municipality. The case of *Calvo* v. *New Orleans*[6] was followed.

In *State* v. *City of Minneapolis*[7] an ordinance prohibiting an owner from erecting a four-family flat building within a residential district, on the ground of unhealthful congestion, added fire risk and more difficult police supervision, was held to be beyond the police power and void. *State* v. *Houghton*[8] was followed.

ROBERT EMMET TRACY.

IV. MISCELLANEOUS

The Gary School Issue in New York City.—A serious issue is being made in the municipal campaign in New York city of the installation of work-study-play or Gary schools. The Gary idea is that, by a full provision in a school building of play space, auditorium, workshops, science rooms, music rooms, library and the like two sets of children can be fully accommodated in the building, one set using the classrooms for routine, academic studies while the other set is using the special facilities. Thus a longer school day with richer modernized curriculum can be given with little increase of expense.

For decades in New York city, because the erection of new buildings never kept pace with the increase and shifting of

[1] 163 N. W. 43.
[2] 163 N. W. 714.
[3] 196 S. W. 1113.
[4] 162 N. W. 670.
[5] 76 So. 244.
[6] 67 So. 338.
[7] 162 N. W. 477.
[8] 158 N. W. 1017.

population, there have been tens of thousands of children on part time in the schools. So the board of education, with the enthusiastic support of the Mitchel administration, has already got thirty-three work-study-play schools in operation and will get twenty more started before the end of the year. It has arranged a building and reconstruction program, well within the financial resources of the city, a program which has been endorsed by the board of estimate, by which the black disgrace of part-time in the schools will be removed (unless the war compels the stoppage of public improvements, including the construction of new schools).

Partisan and ignorant opposition to the new type of school has been sedulously cultivated by a group of malcontents who had, most of them, selfish and ulterior motives. Tammany Hall, looking around for clubs with which to strike the Mitchel administration, found this one ready to hand. Judge Hylan, their candidate, eager to make a campaign on a class issue, gave currency to the absurd, mendacious contention that the Gary school has been thrust on New York by Rockefeller in order that children may be trained to be manual laborers and their American ambitions to be doctors, lawyers, poets and presidents may be nipped early. The fact that the idea was best developed in the steel town of Gary, Indiana, and has been nicknamed after that town, has been made the excuse of branding it as a product of the steel trust and therefore anathema.

All advances in education have been fought by some groups, including teachers of the fossil variety who dread any change which will drive them to abandon comfortable old ruts and take to adventurous new ways. Of course Tammany Hall identifies itself naturally with antagonism to enlightened progress in education as in everything else. So the fat is in the fire. Judge Hylan promises "to expel this vicious Gary system from the schools." To fulfil that thunderous threat he will be obliged to return about a hundred thousand children to part time, to dismantle scores of science rooms, workshops, kitchens, libraries, and the like, to stop the provision of auditoriums and ample play space in scores of old school buildings and to dismiss numerous special teachers of gymnastics, organized play and music.

Of course he would not be permitted to practise such atrocity upon the New York schools. Should he be elected (through the division of the forces of good government) so energetic an opposition would surely arise to his program of mutilation that it is safe to predict that his dire threats will never be fulfilled.

JOHN MARTIN.[1]

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What Pastoriza Did for Houston.—The story of Joseph J. Pastoriza, born in poverty, who died mayor of Houston, Texas, a position to which he rose not by devious politics, but by sincere devotion to the social and economic welfare of his fellow-citizens, may well serve as an incentive to the young manhood of America. No adequate estimate of his career is possible here. What he did, or tried to do, for Houston can be told in a few words. The constitution of the state of Texas requires municipalities to raise their revenues from a general property tax at uniform rates. This requirement is imposed in most states but enforced in none. As it is incapable of enforcement without inquisitions and expenditures which no community will tolerate, assessors assume the right to determine how the taxes shall be levied. In Houston as elsewhere, Pastoriza claimed that the assessors in making up the assessment rolls ignored some classes of property altogether, undervalued non-income-producing property and assessed improved real estate, especially when in the hands of the uninfluential, at nearly full value. Thus a heavy burden was placed on the energetic and enterprising while the holders of franchises and privileges escaped lightly. With a view to remedying this state of affairs Pastoriza had himself nominated as tax assessor. He made a very frank campaign. He admitted that the taxa-

[1] Chairman of the committee of the board of education in charge of the Garyized schools.

tion provisions of the Texas constitution could not be enforced. He said that he did not expect to enforce them; if elected, he would merely place the emphasis in another place. He would try to exempt labor products and put the burden on franchises and privileges.

When elected, he set to work to carry out his promises. Court proceedings were taken against him and his opponents won. Then Pastoriza proceeded literally to enforce the law. The business community was dismayed and begged him to desist. In substance, he replied, "All your assessors for years have violated the taxation provisions of the constitution in your interest; I propose to violate them in the interests of the people. If you don't let me alone, I will let Houston see what the tax provisions of the constitution really mean."

When he announced his candidacy for mayor, every special interest in the city fought him fiercely but unsuccessfully. The dream of his life was realized. The opposition no longer dared to antagonize him and he was in a fair way to establish in Houston that kind of discriminatory taxation, which he believed would ultimately cause all honest citizens to work with him for a constitutional amendment which would make his scheme legal. He wanted to tax nothing which would come to Houston if it were not taxed and to tax nothing which would go away if it were. This is what Pastoriza tried to do for Houston.

JOHN J. MURPHY.

South Bethlehem Police Strike.—The town of South Bethlehem, with a population of probably 20,000, was recently surprised by a strike of its entire police force. For some weeks its policemen had been seeking more pay to meet the rising cost of living, but the borough council paid little attention to the policemen's requests. A petition asking for an increase of $11 monthly was presented to the council on July 16 and another on August 6. In neither case did councils take any action, nor was any action even discussed seriously. The burgess, who was presumably informed of the seriousness of the policemen's requests, apparently failed to inform the council that any action was needed.

Failing to secure action on their petitions, the force took violent measures by leaving the borough unprotected on August 7 at 4 a. m. when the night force went off duty. Confronted by the necessity for immediate action of some nature, the police committee of council held a special meeting at 11 a. m. and promised to recommend action at a special meeting of council called for the evening. Upon hearing this the police force returned to duty at 1 p. m. after the town had been without protection for nine hours. The council at its evening meeting surrendered to the demands of the men and granted the increased pay demanded.

The whole matter was adjusted without much general publicity, but when the citizens heard what had taken place, there was general condemnation of the action of the patrolmen, especially in view of the fact that the strike took place when both the burgess and the chief of police were out of town. *The Globe*, the only newspaper of South Bethlehem, severely criticised the policemen for their lack of appreciation of their civic responsibilities and censured the councilmen for acceding to the demands of the men rather than calling into service the home defense guard, a fairly strong organization in the Bethlehems.

A Food Conference.—Under the auspices of the American Academy of Political and Social Science, a conference on the world's food supply was held in Philadelphia, September 14 and 15. Among the questions considered by eminent representatives of the United States and other countries involved were: "Comparative Food Values," "The Housekeeper and the Food Problem," "Price Control," "Production and Marketing Plans for Next Year," "Food for the Neutrals," "Food for Our Allies and the World." Among the speakers were Chief C. J. Brand of the United States bureau of markets, Hon. Joseph E. Davies of the

federal trade commission, the Norwegian minister, Fridtjof Nansen, Miss Helen Atwater of the department of agriculture, Mrs. N. D. Hitchcock, instructor in marketing at Temple University, Philadelphia, members of the Netherlands and royal Swedish delegations, the guest of honor being Viscount Kikujiro Ishii. Delegates were present from all sections of the country. The proceedings of the conference will be published as the November issue of the *Annals* of the Academy.

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An Australian Town Planning Conference and Exhibit was held in Adelaide, October 14 to 24. Delegates from government departments, municipal bodies and professional societies were present along with individuals interested in the welfare of Australian cities and towns. The principles of town planning, housing and their application to Australian conditions were discussed at length, as was also the question of marshalling and arranging for exhibition plans and illustrative material generally. An illustrated volume of proceedings will be published. A permanent organization was formed to represent the town planners of the various states of the Australian commonwealth.

*

The General Federation of Women's Clubs has secured control of the *General Federation Magazine* through purchase, and announces the appointment of Miss Helen Louise Johnson as editor in chief. The magazine will be edited from Washington, but the business office will be at 40 East 23d street, New York city.

*

The League of American Municipalities, which was to have met in Gary, Indiana, September 5–8, has postponed its convention for a year. This is the second organization of municipal officials to take such action.[1]

*

Professor Charles A. Beard, professor of politics at Columbia University (associate editor of the NATIONAL MUNICIPAL REVIEW from 1912 to 1914), resigned on October 8, giving as his reason that the conduct of the trustees "to use the language of a resolution adopted last spring by one of the most important faculties, displays a profound misconception of the true function of a university in the advancement of learning. . . . If these were ordinary times one might more readily ignore the unhappy position in which the dominant group in the board of trustees has placed the teacher, but these are not ordinary times. We stand on the threshold of an era which will call for all the emancipated thinking that America can command.

"As you are aware I have from the beginning believed that a victory for the German government would plunge all of us into the black night of military barbarism. . . . Thousands of my countrymen do not share this view. Their opinion cannot be changed by curses or bludgeoning. Arguments addressed to their reason are our best hope. I am convinced that while I remain in the pay of the trustees of Columbia University I cannot do effectively my humble part in sustaining public opinion to support the just war on the German empire, or take a position of independence in the days of reconstuction that are to follow."

*

Howard Strong, the secretary of the Minneapolis civic and commerce association, and a member of the council of the National Municipal League, was elected president of the association of commercial secretaries at its recent meeting in Milwaukee.

*

Wilbur M. Cotton, formerly of the Dayton bureau of municipal research and the Detroit bureau of governmental research, and more recently a student in administration at the University of Michigan, has been appointed manager of the borough of Edgeworth, Allegheny County, Pa., succeeding E. A. Beck, who has assumed the position of city manager of Goldsboro, N. C.[2]

[1] See NATIONAL MUNICIPAL REVIEW, vol. vi, p. p. 629.

[2] See NATIONAL MUNICIPAL REVIEW, vol. vi, p. 605.

Byres H. Gitchell, formerly secretary of the Detroit board of commerce, and more recently connected with the housing movement in Michigan, is now a captain in the United States army.

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Clarence A. Perry, author of "The Wider Use of the School Plant," and associate director of the department of recreation of the Russell Sage foundation, is likewise a captain in the federal service, having been assigned for duty to Camp Upton at Yaphank, L. I.

*

Grace Abbott of Hull House, formerly secretary of the immigrants' protective league of Chicago and author of "The Immigrant and the Community" (*Harpers*, 1917), has been made director of the child labor division of the Children's Bureau at Washington, under the direction of Julia Lathrop.

*

Henry G. Hodges became secretary of the city club of Cleveland on September 1, succeeding Francis T. Hayes who left for Camp Sherman at Chillicothe with the first group of men called under the selective service act. Mr. Hodges since coming to Cleveland a year ago has been connected with the Western Reserve University under Professor Hatton.

*

Miss Anna E. Nicholes, who was one of the original members of the woman's city club of Chicago, and later its secretary, died July 20, 1917. For many years Miss Nicholes was an active and aggressive factor not only along civic lines but industrial lines as well. She was particularly interested in the woman's trade union movement.

*

George B. Post and Sons of New York, of which firm George B. Ford is a member, has formed an association with E. P. Goodrich, director of the New York bureau of municipal research.

*

Ralph W. Orebaugh of New York city has been elected city manager of Westerville, Ohio, in succession to R. S. Blinn who recently resigned. Mr. Orebaugh is a mechanical and structural engineer and has had experience as the superintendent of public works at Atlantic Highlands, N. J.

*

Walter Matscheck of the Dayton bureau of municipal research has been working with C. O. Dustin, formerly assistant secretary of the National Municipal League, on the six weeks' food conservation campaign.

*

C. B. Greene of the Dayton bureau of municipal research was released to become executive secretary of the citizens' committee conducting the campaign for the re-election of the present commissioners, Messrs. Shroyer, Switzer and Mendenhall.

DEPARTMENT OF PUBLICATIONS

I. BOOK REVIEWS

EXCESS CONDEMNATION. By Robert E. Cushman. New York: D. Appleton and Company. National Municipal League Series. Pp. 323. $2.

It is difficult to characterize a volume of this kind with a word that will be generally understood. This is not because the judgment required is complex. The trouble, rather, is that books of the kind are still so rare that there is no accepted standard which enables the reviewer briefly to condemn or commend them, according as they fall below or rise above the level of what may be regarded as a reasonable popular expectation for them. Perhaps the best one can do, under the circumstances, is to attempt an analysis of what such a book ought to be, and then note how the book in question measures up to those requirements.

First, it will doubtless be agreed, the volume's discussion of its subject should be thorough, and this thoroughness should be extensive as well as intensive. That is, the book should consider its subject broadly, with all its more important ramifications, while offering a minute scrutiny of those features which are most essential. The author of "Excess Condemnation" has met this first requirement singularly well. Topics, for example, so associated with his subject as eminent domain, assessment, and the taking of easements are themselves discussed with a clearness, force and interest which not merely widens the scope of the book, but enlarges greatly its value. In fact, the average reader is likely to be surprised to find at how many points excess condemnation touches the theory and practice of municipal government. The closeness of the study, on the other hand, is very real, though partly concealed by the ease and charm of the author's style. It is not until one tries to recall, at the end of a chapter, some viewpoint or condition which has not been covered, that he realizes the intensity of the scrutiny offered.

Second, the discussion in a book of this kind should be based on fact—not on hearsay, vague rumors and approximations. References to chapter and verse should make possible the verification of data and the appraisal of authorities. In this respect again, Dr. Cushman's work is all it should be.

Third, there ought to be a full and complete index. No one who reads the book is going to remember more than a fraction of what is in it. But its very *raison d'etre* is the compilation of a lot of valuable information which is nowhere else available in such convenient form. The index should make it possible to turn to this quickly and accurately. In this respect the book disappoints. There is an index, to be sure, and a "List of Cases Cited,"—the latter an excellent feature—besides the table of contents; but the index falls considerably short of the completeness the real student of the subject will desire; and it would have been most helpful to have included a separate index of references to and discussions of the legislative and constitutional amendments referring to excess condemnation. A footnote on page 97 lists these, many of which are partially quoted in one place or another of the volume, while nearly all have their good and bad features informingly discussed somewhere in the book—if one had only better help in finding the place. Unless one discovered the footnote, he might not know what to look for in the general index.

Fourth, it would seem desirable, in a volume of this kind, that the author, after a fair and dispassionate discussion of the theories and phenomena connected with

his subject, should present concretely the conclusions and recommendations which he himself draws from them. In this again the book is wholly satisfactory, Dr. Cushman presenting clearly his conclusions with respect to the much discussed financial aspect of excess condemnation and his suggestions for what he would consider model legislation. As a result, the book is a constructive piece of work—not an academic discussion only.

Finally, but not so essentially, it would be pleasant if a book of this kind might include illustrations to elucidate and emphasize the text; and if it could be so written as to make easy reading. From "Excess Condemnation" illustrations have been omitted—doubtless through no fault of the author. As to the literary presentation, attention has been already called to its highly agreeable quality.

That the book contains some statements, as it certainly does, which one would greatly like to talk over with the author, is not to its discredit; that it contains some others which will be questioned is probably inevitable in the discussion of a device regarding which there are so many opinions, and which is still in so experimental a stage. It is most significant that, as Dr. Cushman notes, "no state or country has a constitutional amendment or statute (regarding excess condemnation) exactly like that of any other state or country."

It should be added that the subject of excess condemnation is treated in this volume from the standpoint of the American city. Foreign examples are freely noted and commented upon, but the measure constantly applied to them is availability for and service to the American city. The result is a book most serviceable and valuable for American cities and towns—one clear, sane, and widely informing.

Charles Mulford Robinson.
Rochester, N. Y.

The Emancipation of the American City. By Walter Tallmadge Arndt. New York: Duffield and Company.

Mr. Arndt has written a readable and useful book, devoted mainly to the problem of municipal home rule, but with some attention to municipal organization and politics. It will be of most service to the general reader who is satisfied with broad and vigorous statements, and does not care for the more rigid analysis of the problems discussed.

Apparently the author considers the most important features of a municipal home rule policy to be the control over the machinery of local organization and freedom from partisan elections. In appendices are published the text of the elaborate and limited provision in the proposed New York constitution of 1915, and also the constitutional provisions recommended by the National Municipal League. But the point of view of the text is distinctly that of the New York proposal. In the later chapters, some state supervision in relation to public utilities, municipal debts and taxation and civil service is definitely approved. There is nothing about the difficult police problem; and no clear statement is given as to what should be the contents of the proposed power of cities "to control their own property, affairs and government."

In connection with the discussion of municipal organization there is presented a brief analysis of the various forms of municipal organization in the optional New York law, and a description and table of the Ashtabula system of proportional representation.

Like most writers on non-partisan elections the author fails to discriminate between the retirement of national party organizations from local elections and the complete abandonment of any form of political organization. Political reform in New York city and other cities has usually been accomplished by means of what is in effect a local municipal party rather than by a completely non-partisan movement.

The local point of view is indicated by the failure to mention either Chicago or Philadelphia.

JOHN A. FAIRLIE.
University of Illinois.

PUBLIC UTILITY RATES. By Harry G. Barker. New York: McGraw-Hill Book Company. Pp. 387. $4.

The author has undertaken to give in a single volume of moderate size a treatment of all the varied aspects of the problem of public utility charges, presenting the problem as a whole in a form useful to public utility officials and others who are working in this field and who desire an introduction to the study of its underlying laws. It is a difficult task, but he has achieved a large measure of success—so much that one is tempted to regret that he did not undertake the still more difficult task of adapting his work to the needs of the general reader. A comparatively small amount of explanatory matter would relieve the craft vocabulary of its occasional obscurities and make a valuable book for the general market. As it is, this possibility is sacrificed to a truly professional terseness.

Mr. Barker devotes his first two chapters to introductory material, defining public utilities in legal rather than in economic terms and distinguishing between companies according as they manufacture a tangible product or render a service. In the next two chapters he develops the cost basis of rates and methods of apportioning items of collective expense. Then follow two chapters on valuation, one on reasonable return and one on depreciation. The other eight chapters deal with special utilities: with railway and express rates, street railway fares, water, gas, electricity and telephone charges and miscellaneous rate problems. In these chapters, the emphasis is on methods of differentiating charges and making reasonable discriminations, since it is in these matters, rather than in fixing the general level of rates, that the differences between the different utilities are most marked and require separate treatment. One fact which is clearly brought out is the limitation imposed on systems of "scientific" differentiation of rates by the cost of making the necessary measurements accurately, or the crudity of the averages that must be used in the absence of accurate measurement, or the resistance offered by the customers' obtuseness or suspicion. The purpose of differential rates, which is kept clearly in mind, is not an abstract correctness but a definite effect on the regularity and distribution of consumption. Indeed, though he is not a "philosopher," Mr. Barker is a good pragmatist in his own field, holding that even the engineer's work in a valuation cannot be done by merely setting out to report the facts accurately, but depends on the uses that are to be made of the results. And he defends the use of conflicting standards in different cases, or even in one and the same case, maintaining that the subject is not in a state in which any one formula or principle can be applied with rigorous logic to the bitter end.

In general, the book seems notably clear-headed and sound. There are some special points to which the reviewer would take exception. The analysis of costs is not perfect, involving some cross-classification. The discussion of the value of water-rights is—necessarily perhaps—somewhat inconclusive, and after puncturing the method of capitalizing the savings as compared to the cost of producing the same power by steam, he suggests a somewhat inadequate allowance for the overvaluation which is so likely to result. Another passage which is calculated to please utility managers better than regulating officials is that in which, after showing that good design or favorable location may get their reward either in an increased valuation or in an increased rate of return, he argues for an increased valuation. Surely it is more in the public interest not to capitalize in more or less permanent form something we are by no means agreed how to value. Among the points open to criticism is the statement that: "The whole railway de-

velopment (of the U. S.) . . . has been in private hands."

But aside from criticism of particular points, the author has made a very useful contribution to the literature of public utility regulation. He has made a unit of study out of the various problem of differential charges based on differential costs in businesses of large fixed capitals, and this is a service of very great importance.

J. M. CLARK.

University of Chicago.

THE IMMIGRANT AND THE COMMUNITY. By Grace Abbott. New York: The Century Company. Pp. 303. $1.50.

The present reviewer is dubious of his ability to do justice to Miss Abbott's book, because her fundamental assumptions are diametrically opposed to his own. When one does not accept an author's axioms, it is difficult to criticize the demonstrations based on those axioms. The basic argument which underlies all Miss Abbott's work may be summarized as follows: It is the duty of the United States to keep her doors wide open for the admission of every well-intentioned person who desires to come here; the presence of large numbers of foreigners in the country creates grave problems and menaces our national progress; therefore, it is the duty of the United States to exhaust every resource in the effort to protect, develop, and Americanize an unlimited number of alien residents. Contrasted with which the reviewer's argument would be: The first duty of the United States is to protect its own citizens and safeguard its national standards; second step, the same as Miss Abbott's; therefore, it is our duty to limit alien admissions to such a number as we can take care of without prejudicing our national welfare. Other fundamental assumptions with which the reviewer cannot agree are that race prejudice (it should be called race antipathy) is stupid and discreditable, and can be discarded by an act of the will; that there is no difference in the fitness of races to participate in the life of a democracy; and that if it can be established that racial diversity does not imply racial inferiority all argument against the indiscriminate mixing of races will fall to the ground.

"The Immigrant and the Community" is a serious and enlightening discussion of what the United States can, and therefore ought to, do to protect its foreign residents, to help them shake off those old-world characteristics which impede their progress in this country and threaten the stability of our institutions, and in every way to assist them in achieving that elevation of their general standard of living for which they came. Miss Abbott is blessed with an exceptional degree of sympathetic understanding for those of other races, especially the unfortunate among them, and a remarkable devotion to their welfare. These characteristics lie back of the splendid success she has achieved in the practical work she has done, though they apparently impede her vision of immigration in its broad relations to national welfare. As a consequence, the discussions included in this volume are much more limited in scope than the title would lead one to anticipate. Chicago and the immigrants' protective league occupy a somewhat disproportionate amount of space. Nevertheless, there are many valuable suggestions of improvements in our social machinery that might well be made, and a very clear and appealing portrayal of the injustices, hardships, and handicaps under which our foreign residents labor. The book will undoubtedly contribute to a better understanding of the nature of the problems which arise from the fact of immigration, and, let us hope, to the solution of those problems too.

The reviewer will make no attempt to criticize the author's specific arguments. We think too differently. When an author (page 206) deliberately discards the "narrow logic" of the Malthusian theory for the "invaluable contribution" of Isaac Hourwich in "Immigration and Labor"—that colossal monument of statistical legerdemain and hocuspocus—the reviewer has nothing more to say.

One final query, however, should be raised. This book is distinctly modern in its recognition of the unassimilated character of our foreign population, and the heterogeneity of the American people. (Anti-restrictionists used to base their arguments on the claim that immigrants were all quickly assimilated.) Its author is continually telling what "we" must do to meet this complicated situation. The question is, who are "we"? Who is to take all this thought, and make all this sacrifice, and devise and put into operation all these intricate measures of social amelioration? Is it the remnant of the genuine old American stock? That is, after all, only a minor element, and in a democracy minorities have very limited powers. Or does "we" refer to the entire American body politic, that composite and heterogeneous aggregation which Miss Abbott so clearly recognizes. If so, how can it be expected that such a body can possibly initiate and keep in efficient operation a social program which could hope for success only on the basis of a closely unified and harmonious electorate? The more the situation is complicated and the more the evils are aggravated by continued immigration, the more impossible will it become to apply the remedies which Miss Abbott prescribes.

HENRY PRATT FAIRCHILD.
Yale University.

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STANDARDS OF AMERICAN LEGISLATION. By Ernst Freund. Chicago: University of Chicago Press. Pp. 327. $1.50.

In this volume the author undertakes a search for a "system of positive principles that should guide and control the making of statutes, and give a more definite meaning and content to the concept of due process of law." On the approach to his main task he reviews the notions of public policy that have influenced the development of the common law, he follows "the main currents of state constitutional provisions" to determine to what extent "our constitutional law performs the function of controlling statutory legislation" (chapter IV), and he considers the judicial doctrines which have influenced or controlled the interpretation and application of these constitutional provisions. Chapter I is entitled "Historic Changes of Policy and the Modern Concept of Social Legislation." Its subdivisions have the captions (1) the right of personality, (2) freedom of thought, (3) the repression of unthrift and dissipation, (4) the promotion of public health and safety, and (5) the growth of social legislation. Chapter III on "The Tasks and Hazards of Legislation" considers "legislation and the vagueness of common law standards," "the problem of dealing with apprehended tendencies and conjectural dangers," and "the problem of contested and unmatured standards." As the author states in his preface, the book is "an essay of constructive criticism, and not a systematic treatise." The chapters referred to, however, are replete with information on the historical development of social control of individual action through common law and legislation, and the difficulties which have attended the process by reason both of inevitable practical considerations and of the American expedient of subjecting legislation to judicial control.

In the two final chapters of the book, the author outlines his conception of sound principles of legislation. What he means by principle is thus set forth:

"Principle as applied to legislation, in the jurisprudential sense of the term, thus does not form a sharp contrast to either constitutional requirement or policy, for it may be found in both; but it rises above both as being an ideal attribute demanded by the claim of statute law to be respected as a rational ordering of human affairs; it may be a proposition of logic, of justice or of compelling expediency; in any event it is something that in the long run will tend to enforce itself by reason of its inherent fitness, or, if ignored, will produce irritation, disturbance and failure of policy" (page 218).

What Mr. Freund really does is to give a lot of horse-sense suggestions about the best way to make good law by legislation. But he is not content to let his suggestions

appear in their naked horse sense. He clothes them in such phrases as "standardization of juristic data," "correlation of provisions," and "conformity to scientific laws." Many readers may wish that the author had put his suggestions in the form of a practical primer and not sought to be philosophical. But the form cannot detract from the merits of the substance. Mr. Freund has given us a wealth of wise observations on the subject with which he deals.

THOMAS REED POWELL.
Columbia University.

✱

THE PUBLIC DEFENDER. By Mayer C. Goldman, of the New York Bar. New York: G. P. Putnam's Sons. Pp. 96. $1.

The author of this short text succinctly and aptly states the point of his case in the secondary title, "A Necessary Factor in the Administration of Justice." Mr. Goldman's present contribution is essentially an argument. Were it not for possible resulting prejudice it could well be described as "propaganda" in its nature. Because of this public connotation it is better to put the aim of the book in the author's own words, "to spread the gospel of this idea." This is more fair, for the cause is meritorious and its presentation is most forceful. The subject matter and its treatment presents a clear-cut issue, its history, nature and necessity.

The author's development of his theme is an illustration of all roads leading to Rome. First the idea itself of a public defender is affirmatively explained and analyzed. The present system is next weighed and found wanting, particularly the "assigned counsel" procedure and the desire-for-conviction-spirit which so often pervades the district attorney's office. The panacea suggested is a public defender. Then attention is given to those opposed to the idea, their objections taken in turn and convincingly answered; their suggested remedies analyzed and shown to be inadequate. Again the argument calls for the adoption of the public defender plan. With particular clearness and strength of appeal the author shows the necessity for safeguarding the rights of the poor in cases other than murder and manslaughter. Though these other crimes are less heinous in degree, the principles of justice and desire for accuracy should run fully as strong. Herein does it seem that those opposed to the proposed office fail to make satisfactory refutation.

An excellent foreword is contributed by Justice Howard of the New York supreme court and a former district attorney. He well sums up the book as containing arguments that are "convincing and unanswered."

This work is claimed as the first book on the subject. Articles, however, can be referred to, the practical operation being particularly set forth by the present public defender of Los Angeles county, California; "Necessity for Public Defender Established by Statistics," W. J. Wood; *Journal of Criminal Law and Criminology*, July, 1916, p. 230; *Id.*, p. 274, a short layman contribution by Francis Savona of New York City. See also "Public Defender," a partial report for the period from February 15 to May 15, 1916 (*City Bulletin* of Columbus, May 20, 1916, p. 281).

EDWIN A. LUCAS.
University of Pennsylvania.

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LANDSCAPE GARDENING. By Prince von Pückler-Muskau. Translated by Bernhard Sickert and edited by Samuel Parsons. Boston and New York: The Houghton Mifflin Company. Pp. 196. $3.50.

A German prince must have made very good in his chosen field to have his professional note book selected for translation and publication in America at this time; his comments on gardening introduced with the highest praise by American landscape architects of the standing of John Nolen and Samuel Parsons; and his book, in fact, brought out at the suggestion of the American Society of Landscape Architects, while we are at war with his country. To the landscape fraternity, Prince Pückler is known to deserve this unusual honor.

Outside of the profession, he is known only —if at all—as a died-in-the-wool aristocrat, born in the latter part of the eighteenth century and dying highly esteemed in 1871. His beautiful estate, about a hundred miles from Berlin, was known to travelers, just as he knew well the show places of England—where, for a time, he lived. He had traveled also in the United States.

Professionally, Prince Pückler was a splendid amateur. "He did not claim for himself," Mr. Parsons remarks, "any special academic standing. He did not apparently consider himself a professor of the art, nor did he undertake to found any special school of landscape gardening." On his own estate of Muskau, he took up the practice of landscape gardening "with profound seriousness and faithfully devoted himself to it because it was the joy of his life." He wrote about the park which he created, and added to his description sundry general "hints" as he described them. And these, as Mr. Parsons says, are of a character "so fundamental and comprehensive that it would be difficult to find anything better of the kind in landscape gardening literature."

The volume before us is made up, then, of a brief foreword by John Nolen, a long introduction by Samuel Parsons, of thirteen brief chapters in which Prince Pückler presents his "hints" under such subject headings as "Enclosure," "Roads and Paths," "Water," "Islands," "Rocks," "Maintenance," etc., and then of a long description of the park in Muskau, where he attempted, with such noteworthy success, to carry out his ideas and test his theories. The hint-chapters are the portions of the book of greatest interest. They are very definite and concrete, they cite illustrative examples of the good and bad at Muskau, in Germany at large, and in England—rating the landscape art of England far in advance of that of Germany. Best of all, these "hints" are constantly illumined by flashes of humor, delicate sentiment and bits of philosophy such that his biographer exclaims of the author, "He was certainly a personality. Can any one remember as strong and interesting a personality among landscape architects? A quaint, original, free spirit of a man!"

Charles Mulford Robinson.
Rochester, N. Y.

Health Survey of New Haven. A Report Presented to the Civic Federation of New Haven by C.-E. A. Winslow, J. C. Greenway, and David Greenberg of Yale University. New Haven, Conn.: Yale University Press. Pp. 114; illustrated.

Such a report as this is of great potential value, both for the locality surveyed and for the country at large. It points the way for local health improvement attacks and it may well serve as a general model for health surveys elsewhere.

First it may be noted that the 45 well considered and concise recommendations of the report are placed at the beginning of the volume, where they are bound to be seen and read. Next comes a general introduction and then a brief review of the sanitary conditions of the city. The larger part of the volume is very properly devoted to a careful analysis of the health organization of the city. The report concludes with a short but masterly discussion of the vital statistics of New Haven, from the viewpoint of what needs to be done to make New Haven a more healthful city.

Freeing the health board from administrative details, increasing the executive powers of the health officer, giving the health board instead of the aldermen the power to enact health ordinances, strengthening the executive powers and the staff of the health officer and raising the health appropriation from $40,000 to $74,000 a year or from 26 to 48 cents per capita, improvements to the milk supply, transfer of sanitary inspection from the health to the police department, an increase in health educational work, are among the recommendations made in the report which might be suggestive to other cities. The higher death rates in the quarters of the city inhabited by the poorer classes suggest anew that the health problem of the

future is largely a social and economic problem, but the report contains plenty of evidence that apparent ignorance and certain negligence of well established and easily observed health rules extend through all classes of the population.

M. N. Baker.

Montclair, N. J.

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The City Workers' World in America. By Mary Kingsbury Simkhovitch. New York: The Macmillan Company. Pp. 235. $1.25.

Lest the author of this valuable little book is not as well known as she ought to be, it would be proper to supplement its title by a descriptive clause. This might read, "As seen by a keen and sympathetic observer, who has had unusual opportunities." For Mrs. Simkhovitch, as a beloved settlement worker, has long enjoyed the privilege of unusual intimacy with the "industrial families" whose viewpoint she describes. These families she defines as including, for the purposes of her book, "wage-workers of various sorts," but "mainly foreigners," "whose family income ranges from $1,500 down to the minimum of subsistence below which the family becomes a public charge." She does more than give their point of view. She turns upon it the clear light of a broad intellect familiar with the varied philosophic and economic theories of social students; she tests it by a sound Americanism, which desires not only happy individuals but good citizens of the republic; and she interprets it with sympathetic understanding. The result is an interesting, unusual and exceedingly valuable series of brief essays descriptive of different phases of the industrial family's contact with life. Of special interest are the chapters entitled, "Education," "At Work," "Leisure," "Health" and "Politics."

The importance of such an analysis is expressed in the author's comment that, "With the life of the industrial family in its whole cycle of home, work, leisure, and participation in the larger life of politics, and other human relationships, the deepest hopes of all of us are intimately bound up." It is encouraging then to note that Mrs. Simkhovitch expresses the belief that "the American standard is in process of becoming secure on the three great sides of public health, public education and public recreation." She finds its most serious menace in that rise of prices of which the effect is to lower wages. If, then, Mrs. Simkhovitch concludes, we would keep high the American standard of living, "the strengthening of organizations whose function is to raise wages is a social necessity." Whether or not the reader accepts this and other conclusions, or draws different ones, he will enjoy and respect the close and sympathetic interpretation which this volume offers of the family life and viewpoint of a very large and important part of our urban population.

Charles Mulford Robinson.

Rochester, N. Y.

✠

An Introduction to Educational Sociology. By Walter Robinson Smith, Kansas State Normal School, Emporia, Kansas. Boston: Houghton Mifflin Company. $1.75.

Psychologists have hitherto dominated our educational theory and consequently our school systems have been designed to train the child as an individual for his own personal ends. Sociology, however, is quite as fundamental in modern education as psychology and a complete understanding of the social factors involved would necessarily revolutionize our educational systems. The schools, in other words, would become an instrument for the realization of social ideals.

Dr. Smith has become deeply impressed with the idea of a socialized education and in order to interpret it to his college students he has written this textbook. The volume can hardly be considered a serious treatise on educational sociology. The first half consists of an elementary statement of some sociological principles, while the latter half reviews from the so-called social point of view, some of the familiar problems of educational organization and administration.

We imagine there is nothing really new in the "socialization of studies," the "socialization of teaching methods" and other chapters of this character. Great educators have always assumed a social as well as a psychological basis for their work. There may, however, be some value in each new effort to investigate scientifically the social facts upon which a sound educational system must rest.

Although the reviewer does not wish to express an opinion upon the author's scientific attainments, he does venture to criticize an apparent carelessness in workmanship. No one really acquainted with the literature of social surveys would refer to "Rockefeller's Foundation Survey of Pittsburgh," and no careful writer would make glaring mistakes not only in the names of well known educators and sociologists, but of such a notorious person as Abe Ruef.

C. C. Williamson.

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Technique of Social Surveys. By Manuel C. Elmer. Lawrence, Kansas: The World Company. 1917.

The past decade has seen a large development of social and civic surveys, and has demonstrated fully that programs of social and civic betterment can be formulated to best advantage upon the basis of a scientific and comprehensive preliminary investigation of existing conditions. During this period there has been a corresponding increase in the amount of literature devoted to the technical side of survey making; nevertheless, this little volume given over to the technique of social and civic surveys fills an important place. In a brief but complete way, Dr. Elmer explains the relation of the social survey to the community; what things should be considered in making a study of any special problem; how the information desired can be secured; and how the data and information gathered can be put to most effective use. The book's chapters are lucid expositions of the survey idea and plan; outlines of a comprehensive survey; machinery of a survey; general and specific sources of information in making a survey; the method of interpreting survey data and securing publicity; and the making of a community program. The work is the result of the author's experience in conducting surveys and supervising the work of civic organizations, clubs, religious bodies, and college life, and, if taken only with respect to its suggestive outlines and lists of investigation questions, constitutes an exceedingly valuable handbook for reference in studying social and civic conditions.

Murray Gross.

✠

Canadian Municipal Manual. By John Redmond Meredith, K.C. and William Bruce Wilkinson. Edited by Sir William Ralph Meredith, K.T., Chief Justice of Ontario. Toronto: Canada Law Book Company, Ltd. Philadelphia: Cromarty Law Book Company. Pp. 1040. $20.

This comprehensive and authoritative manual (the successor of Mr. Biggar's *Municipal Manual* of sixteen years ago) contains the text and judicial interpretation (Canadian and English) of the following acts: The municipal, local improvement, municipal arbitrations, arbitration, municipal franchises, public utilities, municipal electric contracts, patriotic grants, the bureau of municipal affairs, planning and developments act. A comprehensive table of cases, an index of subjects and a series of forms which have been approved by the Ontario railway and municipal board add to the value of this volume, which is Canadian in the broadest and best sense. Designed for the use of municipal authorities as well as lawyers, the style is simple and free from unnecessary technical terms and phraseology. Issued at a time when Canadian cities, towns and municipalities are seeking ways and means "to extend their control over the necessities of life, the social conditions of the wage-earning class and the many vital public service questions on which urban communities are dependent," the volume has additional value not only to Canadian authorities, but to those on this side of the line as well. Among the newer subjects with which the cities have to deal and which are adequately dis-

cussed in this manual are municipal coal yards, supply of foods, vegetable, root and patriotic grants. Not the least interesting and valuable part of the volume is the definition of words and phrases. Some idea of the adequacy of the index may be gathered from the fact that it covers 93 pages.

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Sanitation Practically Applied. By Harold Bacon Wood, M.D., Dr. P.H., Assistant Commissioner, West Virginia State Department of Health. Pp. 473; illustrated. $3.

The recent increase in books dealing in a practical way with public health and sanitation is encouraging. The present volume deals ably with the control of communicable diseases, child welfare, school hygiene, pure foods, clean milk, hygiene of the home and factory, the destruction of disease-bearing insects and health educational work. Water-supplies, sewage disposal and garbage disposal are also treated—the latter with brevity, as is proper since it has little relation to public health. The chapter on sewage disposal is marred by apparent lack of full understanding of the details of the subject. As a whole the book is commendable.

✦

Single Tax Year Book. Edited by Joseph Dana Miller. New York: The Single Tax Review Publishing Company, 130 Nassau St. Pp. 488. $2.50.

This quinquennial edition of the "Single Tax Year Book" dealing with the history, principles and applications of the single tax philosophy is quite up to its predecessors, affording a clear, concise statement of the single tax movement, of course from the single tax point of view. This does not militate against its authoritativeness, for although frankly and avowedly propagandist, Mr. Miller and his colleagues in its preparation are too efficient in that line not to realize that a fair statement of a position is the strongest argument in its behalf. Although differing entirely in its form from other year books, it has the advantage of making it on the whole very much easier reading. The foreign development is treated quite as adequately as the American.

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Opportunities in the Civil Service. By Leonhard Felix Fuld. New York: A. N. Palmer Company. Pp. 44.

This is a handy and useful little book of information and suggestion for prospective candidates for civil service positions, for teachers of candidates, and for civil service examiners. It gives facts of importance for those interested in preparing themselves or others for positions in the federal, state, or city services, with special reference to sub-clerical, postal, clerical, stenographer, and typewriter examinations. For each type of examination it sets forth concisely and graphically the pertinent facts as to qualifications of applicants, scope and content of examinations, methods of rating, and practical ways of preparing for the tests. At a few points criticisms are offered against existing practices as to inclusions in examinations and methods of rating. The book should be clearly serviceable to those for whom it is intended.

F. W. C.

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The Modern Milk Problem: In Sanitation, Economics, and Agriculture. By J. Scott MacNutt, Lecturer on Public Health Service in the Massachusetts Institute of Technology. New York: The Macmillan Company. Pp. 258; illustrated. $2.

Such a book as this was needed to present in a brief, readable, convincing manner the milk problem of to-day in its threefold relation to health, economics, and, most important of all, the dairy farmer —without whose co-operation a safe milk supply at reasonable cost cannot be expected. All these phases of the subject are presented in a way readily followed by any one interested in the improvement of milk supplies, whether as public-spirited citizen, member of a civic organization, local or state legislator, milk producer, distributor or consumer, or executive health officer.

CONDITIONS OF LABOR IN AMERICAN INDUSTRIES. By W. Jett Lauck and Edgar Sydenstricker. New York: Funk and Wagnalls Company. Pp. 403. $1.75.

This book contains a summary of the principal facts collected by a large number of investigations into the conditions under which the American wage-earner and his family work and live. There is no critical discussion of these facts nor any partisan conclusion drawn from them. The object of the authors was to bring together in one place convenient for reference the statistics of wages, working hours, unemployment, sanitary appointments and family budgets. The result is a statement, not a description, of the fundamental conditions in American industry.

The book should appeal to social workers, legislators, employers and employes who want facts for their contentions.

MALCOLM KEIR.

University of Pennsylvania.

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AN INTRODUCTION TO POLITICAL PARTIES AND PRACTICAL POLITICS. By P. Orman Ray. New York: Charles Scribner's Sons. Pp. 428.

Professor Ray has brought up to date this interesting classroom book dealing with problems of politics. The full bibliography accompanying each chapter enables those who want further information on any particular subject to gain access to it with a minimum of delay. Good as this volume is, it is still the work of a college professor. Let us hope that some time a practical politician will write a book on the subject from the point of view of "one who knows" from real experience.

II. BOOKS RECEIVED

THE BATTLE WITH TUBERCULOSIS AND HOW TO WIN IT: A BOOK FOR THE PATIENT AND HIS FRIENDS. By D. MacDougall King, M.B. Philadelphia: J. B. Lippincott Company. Pp. 258. $1.50.

CITIZENSHIP: AN INTRODUCTION TO SOCIAL ETHICS. By Milton Bennion, Dean of the School of Education, University of Utah. With an Introduction by David Snedden. Yonkers-on-Hudson, N. Y.: World Book Company. Pp. 181.

COMMUNITY: A SOCIOLOGICAL STUDY. By R. M. Maciver, D.Phil. New York: The Macmillan Company. Pp. 437. $3.75.

FINANCIAL FEDERATIONS. The Report of a Special Committee. New York: American Association for Organizing Charity, 130 East 22nd Street. 1917. Pp. 285. $1.

THE NATIONAL BUDGET SYSTEM AND AMERICAN FINANCE. By Charles Wallace Collins. New York: The Macmillan Company. Pp. 151. $1.25.

NEGRO EDUCATION: A STUDY OF THE PRIVATE AND HIGHER SCHOOLS FOR COLORED PEOPLE IN THE UNITED STATES. Prepared in Co-operation with the Phelps-Stokes Fund under the Direction of Thomas Jesse Jones, Specialist in the Education of Racial Groups, Bureau of Education: Volumes I and II. Washington: Government Printing Office. 1917.

PHILOSOPHY AND THE SOCIAL PROBLEM. By Will Durant, Ph.D. New York: The Macmillan Company. Pp. 272. $1.50.

SEPARATION OF STATE AND LOCAL REVENUES IN THE UNITED STATES. By Mabel Newcomer, Ph.D. No. 180, Columbia University Studies in History, Economics and Public Law. New York: Columbia University, Longmans, Green and Company, Agents. Pp. 195. $1.75.

STREET RAILWAY EMPLOYMENT IN THE UNITED STATES. U. S. Department of Labor, Bureau of Labor Statistics, Bulletin No. 204. Washington: Government Printing Office. 1917.

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III. REVIEWS OF REPORTS

Street Traffic Regulation.[1]—This pamphlet is divided into two parts,—part I being devoted to standard regulations, traffic signs, police duties and bureau of street traffic; and part II to the relative merits of the block and rotary systems, one way traffic streets, general parking regulations, the near-side stop, crosswalks, signal systems, etc.

Perhaps the best way to review Mr. Eno's ideas is to compare them with the provisions of some other recent traffic codes. He is a strong advocate of simplicity and directness. Having boiled down to less than 1,500 words the regulations for New York city, he is very skeptical about such codes as the new highway traffic law of New York state, which contains about 4,500 words. Theoretically the simpler code is of course to be preferred; practically, however, it is difficult to attain. The New York state code is of necessity a composite and is probably the best that could be secured under present conditions.

Mr. Eno's theory is to give to the police exclusive power to regulate and direct traffic, and even to exclude certain kinds from certain streets. He would then have each city through its police department promulgate traffic regulations based on New York city as a standard. New York's new state code is based on the theory that in order to insure uniformity as to fundamentals the code should be adopted as a state law, subject only to such additional restrictions as may be found necessary by local police officials.

Two other differences worthy of note appear on examining the two sets of regulations. Mr. Eno provides that, conditions warranting, north and south bound traffic shall have the right of way over east and west bound. The Safety First Federation of America and the New York state codes both give each vehicle the right of way over all other vehicles except those approaching an intersection from the right of the driver. By the latter method definite responsibility is always fixed, irrespective of the points of the compass or the many possible combinations of roads at intersections.

With respect to speed, Mr. Eno is content to rely on legally fixed rates, whereas the New York statute instead of establishing a legal rate of speed expressly prohibits "reckless driving," for which it provides heavy penalties. A speed that is safe for the average driver may be reckless driving for an inexperienced operator. Moreover, if an accident occurs it is incumbent upon the participants to show not merely that they were not exceeding so many miles per hour but that they were not driving recklessly.

The pages devoted to comments and to traffic signs are extremely interesting and bring to mind the ever present question of uniformity in signs, particularly those relating to dangers or directions.

The section devoted to police duties clearly illustrates Mr. Eno's theory that regulation alone can solve the traffic problems. I cannot escape the conclusion, however, that even the best regulations will fall short and that the traffic question must also be approached from the angle of city planning. In built-up areas where traffic is already congested new and alternative routes between and around the centers of congestion must eventually be provided.

In part II Mr. Eno devotes considerable space to the relative merits of the block and rotary systems of traffic regulation. He is very critical of the block system, condemning it as wasteful and inefficient, and strongly advocating the rotary system. In his enthusiasm for the rotary system Mr. Eno claims for it an increase of 50 per cent in the traffic capacity of the streets. If the streets from building line to building line were for vehicles only, the writer might agree with him, but pedestrians still have some claims which the rotary system with its continuous flow of traffic does not heed. The block system properly handled, that is with frequent

[1] Street Traffic Regulation, by William Phelps Eno. Issued under the auspices of the National Safety Council, Chicago. 39 pp.

changes of traffic direction at intervals of 15 to 30 seconds instead of one minute or more, will adequately protect pedestrians by giving them a chance to cross with the released traffic. It will also expedite traffic safely although perhaps not as rapidly as the rotary system. For large open spaces like Columbus Circle, New York, the rotary system has obvious advantages, but any one who has ever waited for a car at that point realizes that it also has some dangers.

Closely related to the rotary system is the plan for cross-walks advocated by Mr. Eno. Instead of prolongations of the building lines he would have them set tangent to a circle inscribed within the four corners. This would give them an offset position. Mr. Eno advocates their construction of colored paving material or brick, a recommendation that many will heartily applaud.

One way traffic streets, as Mr. Eno points out, are an absolute necessity in congested districts, a fact which we in this country are just beginning to appreciate, although the idea originated in Pompeii and has long been in use in Havana.

Permanent isles of safety raised to sidewalks level and guarded by posts are strongly advocated by Mr. Eno as a safety measure for pedestrians and as a means of dividing and regulating traffic. The New York police department several years ago placed two such permanent isles of safety on Fifth avenue at 42d street and 44th street. They also have what Mr. Eno calls trial or experimental isles of safety at all other heavy traffic points. These are made by simply placing stanchions with cast iron bases at the proper places and marking out a safety zone with them. They are of course lighted at night. The New York police prefer these movable isles, as they serve the purpose of a refuge without consituting a permanent obstruction of the roadway. If struck by a piece of fire apparatus or an ambulance, they go down without much resistance and do not wreck the machine.[1]

[1] In this connection, persons interested are referred to an article entitled "Are Permanent Safeties Really Safe?" in the *American City*, December, 1916 (page 698). Mr. Eno subsequently wrote to the editor, in defense of the permanent isles of safety. His letter appears in the April, 1917, issue of the same magazine (page 343).

Signal systems, the regulation of traffic at large gatherings, street car and bus stops are taken up toward the end of the pamphlet. In the discussion of these phases of the traffic problem, Mr. Eno particularly advocates elevated platforms or "crow's nests" for traffic officers. He is inclined to doubt the wisdom and the safety of the near side stop, the use of which is growing rapidly. I cannot entertain Mr. Eno's fears in this connection; statistics of street accidents do not seem to bear him out. On the contrary, figures published after the introduction of the near side stop in New York point to a considerable reduction in the number of accidents.

The whole question of traffic regulation is in its infancy, and in expressing views divergent from those of Mr. Eno, there is on my part no desire to underrate the value of his interesting pamphlet. It is well arranged, brief and to the point. It is well worth reading. Under a strong and somewhat autocratic police régime, I have no doubt that traffic could be handled expeditiously and with a fair degree of safety by following closely all the rules Mr. Eno lays down. My only fear is that in the interest of vehicular speed and street efficiency, the poor pedestrian may be forgotten. He has to cross the streets and is just as much entitled to a safe passage as his more fortunate neighbor in a vehicle is to a clear right of way.

WAYNE D. HEYDECKER.[2]

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Community Service.[3]—The remark has already reached print, if I mistake not, of the director of a social employment bureau, that college girls nowadays are not interested when you ask them to do "settle-

[2] Committee secretary, City club of New York.

[3] The Banker; Proposed Community Forum bill; The Community Center, Feb. 24, 1917; Community Service, Elmira, N. Y.; Quicksands of Wider Use, Russell Sage Foundation; Community Institutes, Indiana University; Brooklyn Civic Club Bulletin; University of Wisconsin, The Country Church; Community Center Activities, C. A. Perry.

ment work." But mention a "community center" and they are all aglow.

"Community" is a word to conjure with, to-day. And it promises to be more than a slogan. It bids fair to become the fortunate meeting-place at which the individual and his fair demands will at last harmonize with the no less fair, no less insistent demands of society. For a community is a social entity large enough to be analyzed, small enough to be understood; large enough to have varied and often typical conditions, small enough usually to control the remedy for its ills; large enough to contain genuine need and opportunity for social work, small enough to escape the hopelessness of attempted "reform" on a national scale. Its philosophy may be dubbed a "socialized individualism," perhaps, for lack of a better term.

The community idea has already won recognition in many fields. The allied charities of Elmira rightly describe their work for child welfare, training-schools, homes for the aged, and much else, as community service. Boards of education are seeing here a wider significance than just the use of the school plant for election purposes or recreation. Recently M. T. Levy, chairman of the committee on care of buildings, New York board of education, gave before the Civic club of Brooklyn an account of the uses to which New York's buildings are being put. Besides the regular school activities, parents' meetings and alumni gatherings which naturally name "to school," there are also civic meetings, concerts, exhibitions with or without admission price, held by societies in the school or out of it, with permit by the authorities, sometimes with rental fee, often without it. Said Mr. Levy:

> More and more it is being recognized that the school should become the intellectual and social center of the community. . . . . schools have been used not only to house pupils but have been dedicated to community service. . . . . This wider use of the buildings tends to contribute directly and indirectly to better citizenship.

A similar plan in Farragut is heartily endorsed by *The Banker*, a local financial paper, which describes briefly a new school from which "the children literally can't be kept away" and commends the "big vision" in which the board of education planned.

That there are difficulties in this extended activity, is easily seen. Shall any and every society be allowed the use of the school without exception? Shall every "show" be self-administered or shall everything be controlled by central and permanent powers-that-be? The dangers of each extreme and the advisable means are discussed by C. A. Perry in the leaflet, "Quicksands of the Wider Use," reprinted by the Sage foundation from *The Playground*. The desirability of a definite standard for the use of school plants and of certain constructive regulations, was expressed also in a leaflet issued by the federal Bureau of Education, entitled, "A Community Forum Bill." The bill suggested for state adoption is accompanied by an explanation of the purpose of the forum and of the opportunity for embodying it in a permanent local democratic organization which will go far towards stimulating "latent civic intelligence."

The special stimulus given to the community center movement by public health organizations, is shown in Mrs. John Collier's brief sketch in the *Bulletin*. Her text is the "Health District No. I, of New York City." Brilliant demonstration has been given by this and other health centers—such, for instance, that in Buffalo opened by the department of health—of the positive, sure, and intimate social worth of that social prophylaxis known as "public health." In the light of this fact, one cannot refrain from expressing surprise and regret that in so complete a little handbook as Mr. Perry's "Community Center Activities," the possibility of co-operation in health matters is dismissed with brief reference to what the school center can do in time of epidemics. Why not help prevent the epidemic? The school center can do

much toward this end. But there are 183 other activities outlined in this little book, of interest and value to leaders in this work.

Community institutes, from the extension department of Indiana University, belongs to the later stage of development when the community has recognized itself, and is taking steps toward its own improvement. Conference with other groups similarly interested will help in the solutions of difficulties and will further the neighborliness and working together which make for public spirit. The organization of these conferences and some suitable programs are outlined by Mr. W. S. Bittner, secretary of the university's public welfare service.

In "The Country Church—An Economic and Social Force," C. J. Galpin offers a fine analysis of the present rural church situation and a stirring account of the service possible to the country by a better organization of the religious life. Perhaps a rural re-parishing might be accomplished, Mr. Galpin suggests, similar to that in foreign missionary work by the agreement of churches at home. Hamlet churches could be developed greatly by local accord as to sect or combination of sects, activities in line with the interests of farmers and small store-keepers and other representatives of the local life. Such church life benefits agriculture by rendering the population more permanent —since contented and happy. It adds the element of graciousness to comradeship. It brings into play a social spirit among children as they mingle with children from other families upon this common ground. And since this fair beginning will be chiefly made or marred by the character and personality of the pastor, priest, rector, minister,—whatever name be given the leader of it all—the leaflet closes with a well told sketch of that amazing person, John Oberlin, botanist, construction engineer, linguist, agriculturist, friend of his people and servant of them and of God. It will be indeed the gifted and brave who follow in his train.

To-morrow's challenge to to-day—that is the significance of these publications; the call that we see to it that coming feet tread a social way that is smoother than the one we are passing over; more broadly spacious, and set with wisdom and graciousness.

GERTRUDE SEYMOUR.[1]

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A Plan of Organization for New York City.[2]—How often the arm-chair municipal administrator asks peace and quiet from the charter reformer. "Get the right men," they say, "and the plan of organization will be of no consequence." Most of the fair-minded are agreed that proper desires and skilled performers have been prompting New York city's administration for the past four years. In spite of this prevailing opinion the former city chamberlain tells us that: "Greatly increased serviceability in government and many economies could be effected if efficient organization were added to the existing desire and continuous effort to conduct the affairs of the city without waste and in the interest of the public." The progress in its governmental affairs is the chief reason which urged Mr. Bruère to submit his suggestions for changes in the structure of his city's government.

At the beginning of Mayor Mitchel's administration there was appointed by the board of estimate and apportionment, a charter committee, instructed to recommend changes in the organization. Various contributing reasons resulted in the practical dissolution of the committee. Mr. Bruère, a member of the committee, submitted his "Plan of Organization for New York City" so that the mayor might "call the recommendations it contains to the attention of any subsequent charter committee."

Mr. Bruère submits two general plans, neither of which, he assures us, is revolutionary. There are certain elements common to the two plans.

1. A "policy-guiding" mayor.

[1] Of The Survey staff.

[2] By Henry Bruère, former city chamberlain (May, 1917).

2. A directing board (estimate and apportionment).

3. A finance department controlling revenues, funds and disbursements.

4. A city manager.

There is nothing startling about these recommendations. No great gap must be dexterously bridged to accomplish these changes. As is stated in the report, "this reorganization must primarily be directed toward definitizing responsibility and providing more effective administrative machinery." The details of the appointment and consequent reponsibility of the city manager, whether to the board or the mayor, is left for future consideration. The manager will have no responsibility for policies except as a requested adviser of the board. "He will have nothing to do with the police department or with the civil service or law departments." The chief distinction between the two plans is the number of departments brought under the administration of the city manager.

The Two Plans

Plan II.	Plan I.	Fire
		Building Inspections
		Buildings, Plant and Equipment
		Health
		Street Cleaning
	—	—Correction
		Public Utilities
		Public Welfare
		Tenement House
		Parks
		Public Works

The present board of aldermen is given a place under both plans for reasons "largely sentimental." It is suggested that several obvious advantages might be gained from reducing the number of aldermen on the board.

The most radical change suggested in this report involves the assumption by the board of estimate and apportionment of more complete responsibility for the effective management of the city.

Chapter III deals with the financial problems in New York's management—the rapidly increasing budget and debt. One item of striking interest is the decreasing administrative expense in 1915 and 1916.

HENRY G. HODGES.[1]

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General Statistics of Cities: 1916.—The U. S. Census Bureau has given us another valuable volume of municipal statistics in its recent report on "General Statistics of Cities: 1916." It follows the same plan as the report having the same general subject for 1915 which was put out by the census bureau a year ago. However, it is not supplementary to the former volume but deals with wholly different municipal activities, namely; parks, playgrounds, museums and art galleries, zoölogical collections, music and entertainments, swimming pools and bathing beaches, and other features of the recreation service. This report, like that of 1915, handles the municipalities of the United States having a population of over 30,000, the number of which has increased from 204 to 213. Two hundred and ten of these are incorporated cities, two towns, and one borough.

Before presenting the tables we are furnished in this report with a brief discussion of "Park Systems," and the brevity of this discussion is not its only merit. City park systems are first considered and their growth is illustrated by the system of Kansas City, Mo., with a map showing the park system of that city as of 1893, 1909, and 1915. This is followed with consideration of the metropolitan park systems of Massachusetts and Rhode Island, the county park systems of Essex and Hudson counties, N. J., and Milwaukee county, Wis., and then the Palisades interstate park system of New York and New Jersey.

Two pages are devoted to "Recreational Areas Under the Supervision of the Federal Government" which contain a table showing the location, area and characteristics of each of our national parks.

There are twenty tables in the report, preceded by a description of each. In addition to such facts as might be ex-

[1] Secretary, committee of fifteen (Cleveland); secretary, Cleveland city club.

pected regarding such things as the number, area and kind of parks, and quite extensive financial figures in regard thereto, enlightening statistics are given covering in detail such recreational activities as the following: park administration, federal military reservations within limits of cities, population per acre of recreational grounds, park lighting, comparisons with former years' statistics, cost of park lighting, metered lighting, number and salaries of park policemen, appropriations from which costs of policing parks are paid, swimming pools and bathing beaches, public concerts, public dance halls, free motion-picture entertainments, celebrations, museums and art galleries administered by the city, museums and art galleries not administered but aided by the city, national institutions for the preservation and exhibition of objects of nature and of art, and value of recreational properties

CLAUDE H. ANDERSON.[1]

✱

Classification and Standardization of Personal Service.—Despite at least two decided setbacks during the past four years, the movement toward standardization of public employments still persists in Milwaukee. This is amply attested by a recent report of over 300 pages prepared at the request of the Milwaukee board of city service commissioners by Messrs. J. L. Jacobs & Company of Chicago. It will be recalled that Mr. Jacobs is the noted efficiency engineer to whom Chicago is largely indebted for its pioneer experiment in personal service standardization and who was forced out of the public employ by a reactionary civil service commission at the beginning of the Thompson administration.

The report outlines a comprehensive program of standardization and sets forth detailed specifications governing conditions of employment in all branches of the Milwaukee city service. The classification adopted by Mr. Jacobs, in its broad dimensions, bears a strong semblance to the pioneer classification of Chicago and does not follow the more restricted vocational lines of eastern classifications. In the detailed specifications of duties and entrance qualifications, however, the influence of later experiments in the east is plainly discernible. Among the suggestions for further development of employment policy, it is interesting to note a recommendation for the "establishment of public service schools providing for training of prospective and of present public employes for fitness and for higher duties." A scientific pension system also is recommended.

In order to become effective throughout the entire city service of Milwaukee, the plan of standardization presented in Mr. Jacobs' report will have to be acted upon, not only by the board of city service commissioners and the common council, but also by numerous independent boards and commissions over which the common council has no jurisdiction. It is to be hoped that there will be no repetition in case of the present proposal of the unfortunate experiences that Milwaukee has had in previous efforts at standardizing its municipal service.

WILLIAM C. BEYER.[2]

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Sioux Falls, South Dakota, has been under a commission form of government for a period of seven years. During all of that time it has had the benefit of the services of the same man, and he a very efficient one, for mayor, G. W. Burnside. After retiring from business he gave himself entirely to the city and has been to all intents and purposes a city manager. A report of what has been accomplished in Sioux Falls from 1909 to 1916 has been brought out in a most effective form. It differs somewhat from the usual annual report and combines the best features of a "boosting" pamphlet. An introductory note says that "the city commission in publishing this report was inspired by a desire to tell the people of Sioux Falls of the progress and development in municipal affairs under seven years' administration of the commission plan. While especial

[1] Director, New Jersey bureau of municipal information.

[2] Philadelphia bureau of municipal research.

emphasis is placed upon the régime of the city government and its advancement, there is unfolded the story of a naturally attendant commercial, industrial, educational and social development of which the city may well be proud." The pamphlet is abundantly illustrated after the manner of city planning reports and "boosting" pamphlets generally, and contains a very considerable amount of significant data.

C. R. W.

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Monographs and Reports on Municipal Problems.—The municipal reference library of New York has issued a significant pamphlet under this title containing references to recent reports of exceptional interest published by the city of New York. It represents a very remarkable list of publications, beginning with Bruere's survey of the various departments under the jurisdiction of the mayor, the building code, the report on the cost of living,[1] the report of the mayor's committee on taxation dealing with excess condemnation (including a report prepared by Herbert S. Swan for the National Municipal League),[2] a monograph on infantile paralysis, a report isolated vs. central power plants, an elaborate report on salary standardization,[3] the final report of the committee on taxation and the several reports from the mayor's committee on unemployment.[4] These documents are more than ordinary municipal reports. They represent very real contributions based upon original research.

C. R. W.

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Financial Statistics of States.—In view of the accelerated activity in state financial affairs during the last three or four years such a study as the recent report of the Census Bureau on "Financial Statistics of States for 1916" is particularly profitable at this time.

For the finance expert it is, naturally, an interesting compilation of data from which certain deductions as to the "trend of things" may safely be drawn and certain conclusions authoritatively arrived at. To the student of governmental affairs in general, it is valuable as a practical textbook in governmental finance and considerably more understandable than some textbooks on the subject. To such state financial officials as happen to be expert finance men it will serve well as a double guide, pointing the way both to salvation and disaster. To the non-expert state financial official it might very advantageously be used as a primer—not that it is unduly elementary but because it is clear and comprehensive. Certainly a more concise and digestible volume covering the field of state finance could hardly be compiled.

The introduction, in addition to explaining the scope of the report and the methods employed, points out some obvious defects in the accounting in some of the states through such things as antiquated and diverse methods of classifying revenues, lack of proper accounts with materials and supplies, lack of accounting for depreciation, faulty accounting for interest chargeable as outlay or expense, and auditing claims after the close of the year to which they relate.

About fifteen pages devoted to "Accounting Terminology" is, notwithstanding the clarity of the carefully compiled tables, probably the chief feature which will make this report valuable to the non-expert and which will render it extremely usable to those interested only in the general aspects of the subject. Moreover, the brief definitions and elucidations in this department of the volume should be an aid of considerable value in clearing up hitherto un-understood or misunderstood matters pertaining to finance and financial administration. For instance, the meat of the state budget proposition is succinctly presented as follows:

> A state budget is a formal statement of the financial program or plan of a state for a fiscal period, comprising a statement of authorized expenditures for that period correlated with the estimated revenues and other resources for meeting them.

[1] See vol. vi, p. 168.
[2] See vol. v, p. 353.
[3] See vol. vi, p. 301.
[4] See vol. v, p. 702.

The bulk of the volume is made up of twenty-eight tables, and a description of each, all of which is done with the usual expertness of the Census Bureau. The descriptions, or explanations they might well be called, are made particularly valuable in that many of them contain tables which sub-divide and further carry out particular items of the general tables.

A significant fact to be learned from the volume is that the states are not paying as they go. The expenditure for current expenses alone in 1916 amounted to about $42,000,000 more than the revenues. In addition there was an expenditure of $85,000,000 for permanent improvements. The increased economy and efficiency that has at last tardily arrived in some of our states will, of course, help the situation but this report of the Census Bureau should show that if the general property tax is to continue as the main source of revenue, and doubtless it will for some time, ameliorative measures applied to its assessment and collection must give way to the more substantial changes of property classification and the separation of sources for state and local purposes. CLAUDE H. ANDERSON.

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The Development of the Power of the State Executive, with Special Reference to the State of New York.[1]—The next ten years are likely to witness a process of revision and renovation in the governments of the states comparable to that during the last ten years in the field of municipal government. People's power leagues under various names and economy and efficiency commissions in all parts of the country have already indicated some of the changes which ought to be made. Constitutional conventions in at least half a dozen states within the next two or three years may be expected to reconsider in the light of twentieth century conditions the whole subject of state government.

Miss Alexander's excellent brochure on the development of the executive power appears at the right time. She has studied with particular care its development in New York, concluding with a brief exposition of the reforms proposed by the constitutional convention of 1915. There is no better example than New York of the general tendencies in the development of the executive power and no better starting point for a study of the problem of reform in state administration than the work of the New York convention, viewed in the light of the constitutional history of that state. Miss Alexander's little volume should prove as useful as it is timely.

A. N. HOLCOMBE.
Harvard University.

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[1] By Margaret C. Alexander. Northampton, Mass.: The Department of History of Smith College. Pp. 90. 50 cents.

[2] Edited by Miss Alice M. Holden, Wellesley College.

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United States. Bureau of Education. Department-store education. An account of the training methods developed at the Boston School of Salesmanship under the direction of Lucinda Wyman Prince. By Helen Rich Norton. 1917. 79 pp. plates. (Bull., 1917, no. 9.)

——. Military training of youths of school age in foreign countries. By W. S. Jesien. 1917. 35 pp. (Bull., 1917, no. 25.)

United States. Bureau of Naturalization. The work of the public schools with the Bureau of Naturalization in the preparation for citizenship responsibilities of the candidate for naturalization. 1917. 50 pp. tables.

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Reprinted from the Twelfth Annual Report of the N. Y. State Education Dept.

Elections

Feldman (H.). The direct primary in New York state. (Amer. Pol. Sci. Rev., Aug., 1917: 494–518.)

Jewett (F. G.). Jewett's manual for election officers and voters in the state of New York, containing the consolidated Election Law . . . as amended to June 15, 1917, together with annotations, forms and instructions. 25 ed. completely revised by John J. Fitzpatrick. 1917. 647 pp. chart.

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American Association of Public Employment Offices. Proceedings of the fourth annual meeting, July 20 and 21, 1916. 1917. 92 pp. (U. S. Bur. of Labor Statistics. Bull. no. 220.)

Morrison (M. L.). Employment certificates. (Monthly Bull., New York City Health Dept., Jy., 1917: 73–77.)

New York State. Department of Labor. Course of employment in New York state from 1904 to 1916. 1917. 50 pp. charts. (Spec. Bull. no. 85, Jy., 1917.)

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Anon. Use of floor oils in school houses. New York Board of Education prohibits their use to safeguard schools—another board defends use—views of investigators and fire fighters. (Fire Protection, Sept., 1917: 5, 6.)

Blackall (C. H.). Planning theatres for safety [with discussion]. (Proceedings, Nat. Fire Protection Assoc., May, 1917: 293–300.)

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Kelley (J. S.). Salaries of firemen. What they are being paid in cities throughout the country shown in an interesting table. (Fireman's Herald, Sept. 1, 1917: 163. table.)

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New York City. Department of Finance. Report on the operation and

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New York Chamber of Commerce. Social insurance with special reference to compulsory health insurance. A report prepared . . . by John Franklin Crowell, executive officer. 1917. 92 pp. Published as supplement to Monthly Bulletin, Jan., 1917.

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Aronson, Henry R. Housing and town planning after the war. (Municip. Journ. (London), Aug. 17, 24, 1917: 787–788, 813–814.)

——. A challenge and an answer. The solvency of municipal housing schemes. (Municip. Journ. (London), Sept. 7, 1917: 859–860.)

Michigan Housing Commission. Report. December, 1916. 46 pp. plates. A report in preparation for enacting a comprehensive housing law.

Monk, J. H. Some observations on municipal housing. Surveyor and Municip. and County Engr., Mch. 23, 1917: 304–306.)

New York State. Department of Health. A study of housing conditions made for the New York State Department of Health [by] Madge Headley. [1916.] 33 pp. illus. (Div. of Pub. Health Educ.)

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See also Unemployment.

American Association for Labor Legislation. Labor law administration in New York. (Amer. Labor Leg. Rev., Je., 1917. 522 pp.)

United States. Bureau of Labor Statistics. Labor legislation of 1916. 1917. 197 pp. (Bull. 213.)

Lighting

See also Public Utilities.

Chicago. City Council. An ordinance permitting the People's Gas Light and Coke Company to supply gas upon certain conditions, upon complying with various requirements concerning rates, standards and service recommended for passage by the Committee on Gas, Oil and Electric Light. Je. 1, 1917. 7 pp. (Pam. no. 748.)

Chatburn (J. R.). Street lighting for small cities and towns. (Elec. World, Sept. 1, 1917: 414–417. illus.)

——. Street-lighting poles and lamp supports. An outline of equipment that has been found adaptable to small cities and business sections with overhead and underground construction. (Elec. World, Sept 15, 1917: 514–516. illus.)

Two articles in a series dealing with street lighting in small cities and towns. The first discusses the general principles involved.

Illuminating Engineering Society. Lectures on illuminating engineering [2nd series]. Delivered at the University of Pennsylvania, Sept. 20–28, 1916, under the joint auspices of the university and the . . . society. 1917. 578 pp. pl. illus.

The first series of these lectures was delivered in the fall of 1910 at the Johns Hopkins University, and had as its principal object "to indicate the proper co-ordination of those arts and sciences which constitute illuminating engineering." This second series of twenty-two lectures is "devoted to the more practical aspect of illuminating engineering—the principles of illumination and the conspicuous advances in the art of illumination."

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Woman's City Club of Cincinnati. Cincinnati's gas supply and the rate referendum. Statement based on the study of the Public Utilities Committee of the Woman's City Club. (Bull., Aug., 1917: 14–21.)

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Branch (G. V.). Municipal public markets. (Amer. Municipalities, Sept., 1917: 174–176, 188.)

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Clark (A. L.). Municipal markets in New Jersey. (N. J. Municipalities, Sept., 1917: 11–12.)

Low Estop. Wholesale terminal markets. (Amer. Architect., Jy. 4, 1917: 15–18. diagrs. illus.)

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Stockton (F. T.). City markets: how to start and operate a city public retail market. 1917. 16 pp. Extension Div. Bull. Ind. Univ., Jy., 1917.

Perkins (G. W.). City markets. [Proceedings. N. Y. State Agricultural Soc., 1916: 1764–1771.)

Motion Picture Theatres

State Bureau of Municipal Information of the New York State Conference of Mayors and other City Officials. Regulation of motion picture and other theatres. [Ordinances in New York state cities to regulate the operation of motion picutre theatres.] 1917. 17 pp., typewritten. (Rep. no. 242.)

Motor Vehicles

Anon. Motor vehicles in municipal work. (Municip. Journ., Aug. 2, 1917: 101–104. tables.)

——. State motor truck laws. Charges made by each of the states for trucks of various weights, powers, tire construction, uses, etc. (Municip. Journ., Aug. 30, 1917: 196–197.)

Chapman (H. T.). Control of omnibus and other motor traffic [in England]. (Surveyor and Municip. and County Engr., Jy. 27, 1917: 76–77.)

PRIESTLEY (J. A.). Electric vehicles and their use on cleansing work in Sheffield [England]. (Surveyor and Municip. and County Engr., Jy. 13, 1917: 24–32. illus. tables.)

Municipal Government and Administration

See also City-Manager Plan, County Government, Elections, State Government, Taxation and Finance.

ARMSTRONG (J. W.). Municipal problems. (Modern City, Sept., 1917: 20–22.)
A paper read at the May Conference in Winnipeg on Urban and Rural Development.

ARNDT (W. T.). The emancipation of the American city. 1917. 312 pp.
Contents: The problem of home rule. The basis of home rule. The municipal home and the local courts. Short ballot charters. The city manager. Eliminating the parties. Making the ballot effective. Improving referendum and recall. Administration and civil service. Public utilities. Municipal finance. Municipal efficiency.

CARRUTHERS (JOHN). British municipalities on war service. (Canadian Municip. Journ., Sept., 1917: 386–388.)

CONFERENCE OF MAYORS AND OTHER CITY OFFICIALS OF THE STATE OF NEW YORK. City problems: Proceedings of the eighth annual conference . . . 1917. 197 pp.

DETROIT BUREAU OF GOVERNMENTAL RESEARCH. The citizen and the city government. Jy., 1917. 11 pp.

——. A year of municipal progress. An inventory Jy. 1, 1916, to Je. 30, 1917. [1917.] 15 pp.

ILLINOIS. STATUTES. A bill for an act to consolidate in the government of the city of Chicago the powers and functions vested in local governments and authorities within the territory of said city and to make provisions concerning the same. 1917. 34 pp. (Sen. bill, 1917, no. 141.)

[Kansas. Legislature.] Senate Bill no. 6. An act relating to the government of all cities in Kansas, and to establish an optional form of government. Feb., 1917. 5 pp.

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MITCHEL (J. P.). Problems affecting Brooklyn discussed. Address before Brooklyn Civic Club relative to future expenditures. Record and Guide, Sept. 15, 1917: 527, 539.)

SOSKICE (M. K.). The city worker's world in America. 1917. 235 pp.
Contents: The industrial family; Dwellings: Standard of living; Education; At work; Leisure; Health; Poverty; Politics; Religion.

WILLIAMS (ORA). Municipalities and the State of Iowa. (Modern City, Sept., 1917: 16–19.)

Municipal Ownership

CHRISTIE (A. S.). Shall municipalities own their utilities? (Industrial Management, Aug., 1917: 675–682.)
An approval of municipal ownership only under the most favorable conditions.

CLARK EVANS. Municipal ownership development. (Utilities Mag., Jy., 1917: 29–31.)

Noise

CIVIC CLUB OF ALLEGHENY COUNTY. Elimination of unnecessary noises. 1917. 16 pp.
Refers to the city of Pittsburgh.

Parks and Recreation

AMERICAN ASSOCIATION OF PARK SUPERINTENDENTS. Municipal golf; park acreage, annual appropriation, water supply, etc., of 88 American cities. 1917. 13 pp. table. illus. (Bull. no. 13.)

COLE (LOUIS S.). A plea for the city park. (Amer. Municipalities, Sept., 1917: 169–171.)

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Certain general, financial, and physical statistics are presented as to the educational and administrative value of municipal recreation facilities.

——. CHILDREN'S BUREAU. Facilities for children's play in the District of Columbia. 1917. 72 pp. maps. (Bur. publication no. 22.)

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AMERICAN WOOD-PRESERVERS' ASSOCIATION. Report of the Committee on wood-block paving. Proceedings. 1917: 451–490. illus. tables.)

ANON. Methods of constructing sheet asphalt pavements in Manhattan Borough, New York City. (Good Roads, Sept. 15, 1917: 133–134. illus.)

BOSTON. FINANCE COMMISSION. Communication to the Mayor and City Council, in relation to Warner Brothers Company's patented pavement, bitulithic. (Reps. and Communications, 1917: 101–118.)

BROWN (C. C.). Maintenance of concrete pavements. (Municip. Journ., Sept. 13, 1917: 248–250. illus.
The first of a series of articles explaining practical methods of maintaining various kinds of pavements.

KINNEY (W. M.). Some recent developments in the construction of concrete roads. Proceedings. Amer. Concrete Inst., 1917: 255–261.

MULLEN (CHARLES A.). The contract and specification for paving. (Modern City, Sept., 1917: 28–30.)

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STERN (EUGENE W.). Pavements in suburban and rural districts near large cities. (Canadian Municip. Journ., Sept., 1917: 392–393.)

Periodical Publications

Nebraska Municipal Review. Organ of League of Nebraska Municipalities, v. 1, no. 1, Apr., 1917.

State Service; an illustrated monthly magazine devoted to the government of the state of New York and its affairs, v. 1, no. 1, Aug., 1917.

Police

See also Traffic.

WOODS (ARTHUR). The New York policeman of today. (Journ., Nat. Inst. of Soc. Sciences, Jan., 1917: 57–60.)

Population

UNITED STATES. BUREAU OF THE CENSUS. Estimates of population . . . of counties of the several states and of cities of 30,000 population and over. 1917. 26 pp.

This is the estimate of population on which the draft quotas were based.

Ports and Port Development

CROW (ARTHUR). The Port of London, past, present, and future. (Town Planning Rev., Oct., 1916: 4–17. plates.

ST. LOUIS COMMERICAL CLUB AND ST. LOUIS CHAMBER OF COMMERCE. Report [by a Board of Engineers appointed by the St. Louis Chamber of Commerce, relative to plans for the improvement of the river front of St. Louis . . . terminal facilities . . .] Feb. 16, 1917. (Journ. of the Engs'. Club of St. Louis, Jy.–Aug., 1917: 223–243.)

Prices

ANON. Comparison of retail food prices as of July 1, 1917. (Amer. Food Journ., Jy., 1917: 358.)

A tabulation of actual prices in 10 American cities for 50 staple foods, together with an approximately average figure for the country as a whole.

——. Price changes for common labor and construction material during the past year. Prevailing figures on Aug. 1, 1916, and Aug. 1, 1917, in various cities throughout the country. (Engrng. and Contracting, Aug. 29, 1917: 169.)

THORNE (CLIFFORD). Regulation of coal prices: report to the League of Iowa Municipalities. (Amer. Municipalities, Aug., 1917: 140–143.)

Favors the establishment of maximum prices on coal and metals at the earliest possible date.

WASHINGTON (STATE). BUREAU OF LABOR. Comparative statistics on foodstuffs and fuel for four years as shown in a budget of the annual cost of living of a family of five persons. Based on prices prevailing in month of April of each year. 1917. [4 pp.]

Public Defender

EMBREE (W. D.). New York's substitute for the public defender. (Legal Aid Rev., Jy., 1917: 1–6.)

A description of the work being done by the Voluntary Defenders Committee.

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See also Schools, Housing, Public Safety.

BISHOP (R. H.). A health center in a large city [Cleveland]. (Amer. Journ. of Nursing, Aug., 1917: 1054–1060.)

CHAPIN (C. C.). The relative values of public health procedures. (Journ., Amer. Med. Assoc., Jy. 14, 1917: 90–95.)

CARNEGIE UNITED KINGDOM TRUST. Report on the physical welfare of mothers and children, England and Wales. 2 v. 1917.

CIVIC FEDERATION OF NEW HAVEN. Health survey of New Haven. A report presented to the Civic Federation of New Haven by C.-E. A. Winslow, J. C. Greenway, and D. Greenberg, of Yale University. 1917. 114 pp.

DUBLIN (L. I.). The application of the statistical method to public health research. 1917. 14 pp.

FISHER (IRVING). Public health as a social movement. [1917.] 10 pp. (No. 95, Reprint of Reps. and Addresses of the Nat. Conf. of Soc. Work, 1917 Meeting at Pittsburgh.)

EMERSON (HAVEN). The duty of health departments on the alcohol question. (Med. Off., Jy. 7, 1917: 5.)

[GOULD (R. G.)]. Changes in state food laws. (Amer. Food Journ., Jy., 1917: 359–361.)

GREAT BRITAIN. COMMITTEE ON THE ADMINISTRATION OF PUBLIC HEALTH. Health of the people, a new national policy. [1917.] 63 pp.

LOCHHEAD (A. F.). Is a ministry of health desirable? (Municip. Journ. (London), Sept. 7, 1917: 861–862.)

MICHIGAN. Report of the tuberculosis survey of the State Board of Health . . . from Oct. 1, 1915, to Oct. 1, 1916. . . . 1917. 89 pp. charts. tables.

SAVAGE (W. G.). The protection of the milk supply. (Journ. of State Med., Je., 1917: 173–180.)

One of a course of lectures on public health problems under war and after war conditions.

UNITED STATES. BUREAU OF LABOR STATISTICS. Employment of women and juveniles in Great Britain during the war. Reprints of the memoranda of the British Health of Munition Workers Committee. 1917. 121 pp. (Bull. no. 223.)

United States Public Health Service. The notifiable diseases. Prevalence in large cities, 1916. 1917. 15 pp. tables. (Reprint no. 394 from the Pub. Health Repts., Apr. 22, 1917.)

——. The notifiable diseases. Prevalence during 1916 in states. (Pub. Health Repts., Sept. 21, 1917: 1506–1531.)

——. Public health administration with special reference to towns and rural communities. By Paul Preble. 1917. 7 pp. (Reprint no. 390 from the Pub. Health Repts., Mch. 2, 1917.)

——. Typhoid fever and municipal administration. By A. W. Freeman. 1917. 16 pp. diagrs. (Reprint no. 395 from the Pub. Health Repts., May 4, 1917.)

Wood (H. B.). Sanitation practically applied. 1917. 473 pp. illus.

Some of the chapters deal with the following subjects: The need for public health work; Statistics; Child welfare; School hygiene; Clear milk; Water supplies; Sewage disposal; The educational movement; etc.

Public Service

Lewis (M. R.). Practical training for public service: a bibliography. (Pub. Servant, Je.–Sept., 1917: 225–236.)

Osgood (Manley). System in a city engineer's office. (Amer. City, Aug., 1917: 136–138.)

Has reference to Ann Arbor, Mich.

Rightor (C. E.). Co-operation between city officials and private efficiency organizations. (Modern City, Sept., 1917: 26–27, 55.)

Robinson (F. B.). The New York idea [of training persons already in the public service]. (School and Soc., Aug. 25, 1917: 218–221.)

United States. Department of the Interior. Bureau of Education. The Conference on Training for Foreign Service. Called by the Commissioner of Education of the United States and held . . . Dec. 31, 1915. By Glen Levin Swiggert. 1917. 67 pp. (Bull., 1917, no. 37.)

Public Utilities

See also Accounting, Lighting, Municipal Ownership.

Anon. Unique features of the new power plant at Murphysboro, Illinois. (Electrical Rev., Sept. 15, 1917: 443–445. illus.)

An article describing the novel reconstruction of combination electric, water and gas plant in a small city.

Kean (John T.). Franchise and public utilities. (Minn. Municipalities, Aug., 1917: 115–117.)

Wilcox (D. F.). Proposed guaranties of continuity of service in public utilities in New York. (Utilities Mag., Aug., 1917: 17–30.)

Wood (A. E.). Comparison of wages and some factors determining them in the street railway and electric light industries. (Utilities Mag., Aug., 1917: 3–16.)

Purchasing

See also Accounting, Schools.

Birmingham (England). General Purposes Committee. Report of the Contracts and Stores Sub-committee [recommending the appointment of a committee for the purchase of all supplies common to several departments of the Corporation]. May 31, 1917. 6 pp. tables.

California. Purchasing Department. First report [Sept. 17, 1915, to] Nov. 1, 1916. 1916. 28 pp.

Refuse and Garbage Disposal

Allen (H. A.). Problems in waste disposal [in Chicago]. (Journ., Amer. Soc. of Mech. Engrs., Aug., 1917: 689–693. illus.)

Brown (Reginald). House refuse: its calorific value and its possibilities. Pt. 1–2. (Surveyor and Municip. and County Engr., Je. 15–22, 1917: 557–558, 572–573.)

Eddy (H. P.). Industrial waste disposal. (Journ. of Industrial and Engrng. Chem., Jy., 1917: 696–700.)

Morse (Wm. F.). The collection and disposal of the waste from small municipalities. (Pacific Municipalities, Sept., 1917: 403–419. tables. forms.)

A paper read at the meeting of Amer. Pub. Health Assoc., Oct. 24–27, 1916.

Roads and Streets

See also Taxation and Finance.

——. New road laws of Michigan. (Good Roads, Sept. 15, 1917: 137–138. tables.)

Several important changes in the Michigan highway laws were made by the legislature in 1917.

Anon. Highway department directory. (Good Roads, Sept. 8, 1917: 123–127.)

A list of the principal officials, engineers and other members of the staffs of the highway departments of the several states and of the U. S. Office of Public Roads.

Lewis (N. P.). Widening existing streets to meet traffic demands. (Engrng. and Contracting, Sept. 5, 1917: 188–189.)

The abstract of a paper read at the Ninth National Conference on City Planning.

Philadelphia. Department of Public Works. Permanent Committee on Comprehensive Plans. Report on the revision and extension of the street system in Southwest Philadelphia. 1917. 25 pp. plan. chart. map.

St. Louis. City Plan Commission. A major street plan for St. Louis. 1917. 86 pp. maps.

Weir (W. J.). Road maintenance in the war zone of France. (Engrng. News-Record, Sept. 13, 1917: 488–492.)

Safety

PUBLIC SAFETY COMMISSION OF CHICAGO AND COOK COUNTY. Things you must know for safety. A manual of information and statistical records relating to the conservation of human life. [also] Report of Coroner Peter M. Hoffman [for 1916]. 1917. 181. pp.

ROSA (E. B.) and CANADA (W. J.). The National Electric Safety Code from the electric railway standpoint—I. (Elec. Ry. Journ., Sept. 15, 1917: 431–443.)
This paper includes a synopsis of the Code.

Schools
See also Education, Ventilation.

ALDERMAN (L. R.). The two-group plan. (Journ., Nat. Educ. Assoc., Je., 1917: 1029–1032.)
A description of the modified Gary plan which has been successfully operated in Portland, Ore., for two years.

BUCKINGHAM (B. R.). A survey of the Gary schools and the pre-vocational schools in New York City. (Proceedings, Third Annual Conference on Educational Measurements, 1916: 119–125.)

BARKER (CREIGHTON). A model public school clinic. (Architectural Record, Jy., 1917: 27–29. diagr.)

INDIANA. STATE BOARD OF ACCOUNTS. School house heating and ventilating in Indiana. A report. . . . 1917. 33+8 pp.

KILPATRICK (VAN EVRIE). The school gardens of New York City. (Monthly Bull., Dept. of Health, N. Y. City, May, 1917: 49–55.)

PUBLIC EDUCATION ASSOCIATION OF THE CITY OF NEW YORK. Citizens of to-morrow. The contribution of the public schools to national preparedness. 1917. 32 pp.
Its Bull. 31 (Sept., 1917).

SCHOOL SURVEY COMMITTEE, DENVER. Purchase of supplies and equipment. (Rep. of school survey . . . Pt. 4. The business management, by J. T. Byrne. pp. 42–71.)

STRUTHERS (L. R.). The school nurse; a survey of the duties and responsibilities of the nurse in the maintenance of health and physical perfection and the prevention of disease among school children. 1917. 293 pp. illus.

UNITED STATES. BUREAU OF EDUCATION. Work of school children during out-of-school hours. By C. D. Jarvis. 1917. 28 pp. (Bull., 1917, no. 20.)

Sewerage and Sewage Disposal

BANTHELL (M. A.). Ice forms but sprinkling filters go on. (Engrng. News-Record, Sept. 13, 1917: 506–507. illus.)
Has reference to the sprinkling filters of the sewage-works at Rochester, N. Y.

CAINE (THOMAS). Activated sludge process of sewage purification; the Worcester [England] experiment. (Surveyor and Municip. and County Engr., Jy. 20, 1917: 51–55. illus.)

NEW YORK CITY. BOARD OF ESTIMATE AND APPORTIONMENT. Report on the main drainage and sewage disposal of the area tributary to Jamaica Bay. [1917.] 83 pp. maps. diagr. tables. (Bureau of Public Improvements.)

Street Cleaning
See also Motor Vehicles.

TALBERT (C. M.). Cleaning of St. Louis streets with vacuum cleaner. (Journ., Engrs.' Club of St. Louis. May-Je., 1917: 188–192.)

State Government
See also Elections, Municipal Government.

CALIFORNIA UNIVERSITY. Single house legislature. Prepared by Joseph H. Quire. 1917. 18 pp. (Extension Div. Bull., n. s., v. 11, no. 12.)
A general statement and list of references.

DIRECT LEGISLATION LEAGUE OF MARYLAND, and MARYLAND TAX REFORM ASSOCIATION. Some Maryland political problems. Apr. 20, 1917. 43 pp.

HARTWELL (E. M.). Constitutional conventions in Massachusetts. (Boston City Record, Jy. 28, 1917: 718–719.)

MASSACHUSETTS FEDERATION OF PLANNING BOARDS. The need of constitutional amendments for (a) Reorganization of the state executive departments, (b) Creation of a department of municipal government, (c) Greater degree of home rule for cities and towns, (d) Regulation and control by cities and towns of the growth and development of their municipal areas. 1917. 22 pp. (Bull. no. 4, Jy., 1917.)

Taxation and Finance
See also Pavements.

ANON. Taxation and revenue systems of state and local governments. (Modern City, Sept., 1917: 3–10, 51–55.)

———. What's the matter with the budget [of San Francisco]? (The City, Jy., 1917: 1–22.)

BENSON (C. D.). Assessing for local improvements. (Amer. City, Aug., 1917: 139–141.)

BOSTWICK (A. L.). Permanent assessment boards to act in street opening and widening cases. (Municip. Journ., Aug. 30, 1917: 200.)
Describes laws and practices in eight large cities, and the law proposed for St. Louis.

CONNECTICUT. Report of the Special State Commission appointed in 1915 on the subject of taxation. Submitted to the General Assembly in 1917. 1917. 44 pp.

ELDRIDGE (M. O.). Serial bonds for road building save money; tables and diagrams show that sinking-fund and annuity methods cost taxpayers many

millions. (Engrng. News-Record, Aug. 30, 1917: 407–411. diagr. tables.)

INDIANA. STATE BOARD OF ACCOUNTS. Budget classifications and rules of procedure for departmental estimates. Sept., 1916. 20 pp.

——. Analysis of the appropriation ordinance or county budget. 1916. 27 pp.
A pamphlet issued for the guidance of county authorities and county councils. It contains also a statement of the Compensation of County Officers.

NEWCOMER (MABEL). Separation of state and local revenues in the United States. 1917. 195 pp. (Columbia Univ. Studies in Pol. Sci., v. 76, no. 2.)

[NEW HAMPSHIRE. STATE TAX COMMISSION.] Budget making for New Hampshire towns. Procedure for making and presenting budget estimates in conformity with the uniform system of town accounts. 1917. 15 pp. budget sheet.
Prepared by Mr. Edward C. Mabie.

NEW YORK STATE CONFERENCE ON TAXATION. Addresses and proceedings of the seventh State Conference on Taxation, Jan. 11 and 12, 1917. 1917. 264 pp. (N. Y. State Tax Bull., May, 1917.)

OHIO. LEGISLATIVE REFERENCE DEPARTMENT. Finances of Ohio cities: debt and taxation. 1917. 81 pp. tables.
Prepared for the use of the legislature in consideration of plans for the financial relief of Ohio municipalities.

WINNIPEG (CAN.). BOARD OF VALUATION AND REVISION. Report on systems of assessment and taxation. 1917. 75 pp. plate. diagr.
The most interesting recommendation is that the business tax, based on rentals, should be abandoned in favor of an income tax.

Traffic

See also Roads and Streets.

GOODRICH (E. P.). The pedestrian in city traffic. (Landscape Arch., Jy., 1917: 195–197.)
Refers particularly to New York City.

NEW YORK CITY. POLICE DEPARTMENT. Traffic Division Bulletin, no. 1. [1917.] [10 pp.]
Contains a paper on traffic regulation, by Henry Jay Case, read before the Conference of Mayors, June 13, 1917.

SABATH (JOSEPH). What a traffic court can do [in Chicago]. (Amer. City, Aug., 1917: 126–129.)

WAKELAM (H. T.). Extraordinary traffic and excessive weights on highways. (Surveyor and Municip. and County Engr., Je. 29, 1917: 586–589.)

Transit

AMERICAN ELECTRIC RAILWAY ASSOCIATION. Bibliography of "Copper-Zone Fare System." Prepared by the Association's Bureau of Information. (Aera, Je., 1917: 1279–1281.)

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To be continued.